



# ROKEBY

SCHOOL

<b>Member of Staff Responsible</b>	<b>Bursar</b>
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## **Rokeby Code of Conduct**

**(based on Guidance for safer working practice for those working with children and young people in education settings October 2015)**

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## I. Definitions

For ease of reading, references will be made to 'school' and setting.

References made to 'child' and 'children' refer to children and young people under the age of 18 years. However, the principles of the document apply to professional behaviours towards all pupils, including those over the age of 18 years. 'Child' should therefore be read to mean **any pupil** at the education establishment.

References made to adults and staff refer to all those who work with pupils in an educational establishment, in either a paid or unpaid capacity. This would also include, for example, those who are not directly employed by the school or setting e.g. Peripatetic staff, sports coaches.

The term 'allegation' means where it is alleged that a person who works with children has

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

References are made in this document to legislation and statutory guidance which differ dependent on the setting and alter over time. However, the behavioural principles contained within the document remain consistent, hence, wherever possible, such references have been removed in order that the document does not appear to quickly become out of date or to apply only to certain staff or settings.

## II. Overview and purpose of guidance

This document is based on an update by the Safer Recruitment Consortium of a document previously published for schools by DfES which was initially issued as those working with children had expressed concern about their vulnerability and requested clearer advice about what constitutes illegal behaviour and what might be considered as misconduct. Education staff asked for practical guidance about which behaviours constitute safe practice and which behaviours should be avoided. This safe working practice document is NOT statutory guidance from the DfE; it is for employers, local authorities and/or LSCBs to decide whether to use this as the basis for their code of conduct / staff behaviour guidelines.

The Code of Conduct document seeks to ensure that the responsibilities of the school towards children and staff are discharged by raising awareness of illegal, unsafe, unprofessional and unwise behaviour. It should assist staff to monitor their own standards and practice and reduce the risk of allegations being made against them. It is also recognised that not all people who work with children work as paid or contracted employees. The principles and guidance outlined in this document still apply and should be followed by any person whose work brings them into contact with children.

The guidance will also support the school in giving a clear message that unacceptable behaviour will not be tolerated and that, where appropriate, legal or disciplinary action is likely to follow. Once adopted, as part of a school's staff behaviour policy, the school may refer to the document in any disciplinary proceedings.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that any guidance cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this document, or which directly contravene the guidance given by the school. It is expected that in these circumstances staff will always advise their senior colleagues of the justification for any such action already taken or proposed.

All staff have a responsibility to be aware of systems within the school which support safeguarding and these are explained to them as part of staff induction and in regular staff training sessions. This includes the school's Safeguarding policy and staff behaviour policy of which this document will become a part.

It is recognised that the vast majority of staff who work with children act professionally and aim to provide a safe and supportive environment which secures the well-being and very best outcomes for children in their care. Achieving these aims is not always straightforward, as much relies on child and staff interactions where tensions and misunderstandings can occur. This document aims to reduce the risk of these.

It must be recognised that some allegations will be genuine as there are people who seek out, create or exploit opportunities to harm children. However, allegations may also be false or misplaced and may arise from differing perceptions of the same event. When they occur, they are inevitably distressing and difficult for all concerned. It is therefore essential that all possible steps are taken to safeguard children and ensure that the staff working with them do so safely.

### **III. Underpinning principles**

- The welfare of the child is paramount (Children's Act 1989). 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 Head of Department, Line Manager or a member of the SLT if they have acted in a way which may give rise to concern
- Records should be made of any such incident and of decisions made/further actions agreed, in accordance with the School's Data Protection Policy
- All staff are informed that Jane Bond is the Designated Safeguarding Lead (DSL) at Rokeby and that Fleur Tattersall is the Deputy (DDSL) for safeguarding and child protection. All staff should be familiar with the local child protection arrangements and understand their responsibilities to safeguard and protect children. This information is contained in the school's Safeguarding Policy which is on the school's server and on the school website.
- 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 children
- 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 & Barring Service (DBS) from working in regulated activity, or for acts of serious misconduct prohibition from teaching by the National College of Teaching & Leadership (NCTL). The school's Disciplinary Procedure (referred to in Section 3.16 of the Staff Handbook) contains specific examples of offences which are normally regarded as gross misconduct. The Safeguarding and Child Protection Policy outlines the school's responsibilities and procedures for reporting to external agencies allegations of practices or behaviour which have put (or may have put) pupils at risk of significant harm.
- Staff SLT and Line Managers should continually monitor and review practices to ensure this guidance is followed
- The ICT Policy and Social Media Policy provides further guidance on safe use of ICT.
- This Code of Conduct is made available to staff as part of the Staff Handbook. Staff must be aware of, and comply with codes and policies when working and/or interacting with pupils.
- Staff should be aware of and understand the School's Safeguarding Policy that includes Keeping Children Safe in Education (KCSIE), the arrangements for managing allegations against staff, staff behaviour policy, whistle blowing procedure and the Local Safeguarding Children Board (LSCB) procedures.

#### **IV How to use this document**

This document is intended only to be guidance and does not have any statutory weight. However, where statutory guidance does exist in relation to a specific topic or practice, this is noted in the text.

Each section provides general guidance about a particular aspect of work and, in the right hand column, specific guidance about which behaviours should be avoided and which are recommended.

There are additional responsibilities arising from their regulations (e.g. Early Years Foundation Stage (EYFS), Quality Standards).

## 1. Introduction

Staff have a crucial role to play in the lives of children. This guidance has been produced to help staff establish the safest possible learning and working environments which safeguard children and reduce the risk of them being falsely accused of improper or unprofessional conduct.

## 2. Status of document

This document is based on the endorsements and recommendations by the Safer Recruitment Consortium. It should inform and assist the school to develop and review its guidelines on safer working practices. It may be used as reference by the SLT managers and Local Authority Designated Officers (the 'Designated Officer or DO<sup>1</sup>') when responding to allegations made against staff in education settings. This is **not** statutory guidance.

## 3. Responsibilities

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

All staff have a responsibility to keep pupils safe and to protect them from abuse (sexual, physical and emotional), radicalisation, neglect and 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 children. When individuals accept a role working in an education setting they should understand and acknowledge the responsibilities and trust involved in that role.

*This means that these guidelines:*

- apply to **all** adults working in Education and Early Years settings whatever their position, role or responsibilities

*This means that staff should:*

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

*This means that the school should:*

- promote a culture of openness and support
- ensure that systems are in place for concerns to be raised
- ensure that staff are not placed in situations which render them particularly vulnerable
- ensure that all staff are aware of expectations, policies and procedures

*This means that Managers / Proprietors/ Governing Bodies should:*

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<sup>1</sup> Working Together 2015 refers to the Designated Officer – some local authority arrangements continue to refer to the LADO. Whilst some local authorities may still be using the term LADO the acronym DO is used to denote the DO function as set out in Working Together to Safeguard Children 2015.

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.

*procedures are distributed, adopted, implemented and monitored*

Legislation also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings. An employer's Health and Safety duties and the adults' responsibilities towards children should not conflict. Safe practice can be demonstrated through the use and implementation of these guidelines.

#### **4. Making professional judgements and Training**

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 Line Manager.

Adults should always consider whether their actions are warranted, proportionate, safe and applied equitably. The school recognises the importance of appropriate training in informing teachers' professional judgement. The Deputy Head is responsible for ensuring that all staff who are new to the school receive training in Safe Working, Child Protection and Acceptable use of ICT as part of the induction process. This training will also include informing staff about behavior which may constitute serious misconduct, as outlined in the school's Disciplinary Procedure. The DSL is also responsible for informing all staff of any substantive changes to policies and guidelines which relate to child protection and safe working.

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

As a result of their knowledge, position and/or the authority invested in their role, all adults working with children in a school or education setting are in a position of trust in relation to all pupils on the roll.

*This means that where no specific guidance exists 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 Headmaster or designated safeguarding lead*
- *always record discussions and actions taken with their justifications*
- *record any areas of disagreement and, if necessary refer to another agency/the LA/ISI/NCTL/other Regulatory Body*

The relationship between a member of staff and a pupil cannot be a relationship between equals and 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 with this potential.

Where a person aged 18 or over is in a position of trust with a child under 18, it is an offence<sup>2</sup> 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.

## 6. Confidentiality

The storing and processing of personal information is governed by the General Data Protection Regulation and the UK Data Protection Act 2018. Rokeby provides clear advice to staff in the Staff Handbook and in the Data Protection Policy and Privacy Notice about their responsibilities under this legislation so that, when considering sharing confidential information, those principles should apply.

Staff may have access to personal details about pupils in order to undertake their everyday responsibilities. In some circumstances, staff may be given additional high sensitive or private information. Such information should be treated in a discreet and confidential manner and only shared when legally permissible to do so and in the interest of the child. Records should only be shared with those who have a legitimate professional need to see them.

- *use their status and standing to form or promote relationships with pupils which are of a sexual nature, or which may become so.*

*This means that staff:*

- *need to know the name of their Designated Safeguarding Lead (Jane Bond) and be familiar with LSCB child 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 (designated safeguarding lead: Jane Bond) if they are in any doubt about*

<sup>2</sup> Sexual Offences Act 2003



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 child. 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.

- *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 using modern technologies that systems and devices are kept secure.*

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, staff have a responsibility to pass information on without delay, but only to those with designated safeguarding responsibilities (Jane Bond or her Deputy, Fleur Tattersall).

If a child – or their parent /carer – makes a disclosure regarding abuse or neglect, the member of staff should follow the procedures set out in Rokeby's Safeguarding Policy. The adult should not promise confidentiality to a child 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 (Jane Bond). Any media or legal enquiries should be passed to senior management.

The booklet 'What To Do If You're Worried A Child Is Being Abused (2006) contains further guidance on sharing information to protect children. This document is due to be updated shortly.

## **7. Standards of behaviour**

Staff have a responsibility to maintain parents'/public confidence in their ability to safeguard the welfare and best interests of the pupils. They should adopt high standards of personal conduct in order to maintain confidence and respect of the parents, 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 children, or children 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 school in relation to the protection of children, loss of trust and confidence, or bringing the school into disrepute. Such behaviour may also result in prohibition from teaching by the NCTL, a bar from engaging in regulated activity, or action by another relevant regulatory body.

The Childcare (Disqualification by Association) Regulations 2009 set out grounds for disqualification under the Childcare Act 2006 where the person or a person living in the same household or employed in the same household meets certain criteria set out in the Regulations. For example, an individual will be disqualified where they have committed a relevant offence against a child; been subject to a specified order relating to the care of a child; committed certain serious sexual or physical offences against an adult; been included on the DBS children's barred list; been made subject to a disqualification order by the court; previously been refused registration as a childcare provider or provider or manager of a children's home or had such registration cancelled. A disqualified person is prohibited from providing relevant early or later years childcare as defined in the Childcare Act 2006 or being directly concerned in the management of such childcare. Schools and private childcare settings are also prohibited from employing a disqualified person in respect of relevant early or later years childcare

## **8. Dress and appearance**

A person's dress and appearance are matters of personal choice and self-expression and some staff 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 that staff should not:*

- *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 or humiliate, or might be interpreted as such*

*This means that staff should:*

- *be aware that behaviour by themselves, those with whom they share a household, or others in their personal lives, may impact on their work with children*
- *understand that a person who provides Early Years education or Childcare may be disqualified because of their "association" with a person living or employed in the same household who is disqualified.*

*This means that 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

Rokeby has policies in place regarding the giving of gifts or rewards to pupils and the receiving of gifts from them or their parents/carers. These policies, the Probity Policy and Behaviour, Conduct and Discipline Policy. Staff should make themselves aware of and understand what is expected of them.

A Register of Gifts and Interests is a formal record of hospitality, gifts and donations received by every individual within an organisation. It also allows for the declaration of any possible conflicts of interest while discharging professional duties. The introduction on 1 July 2011 of the main provisions of the Bribery Act 2010 means that the school must have a policy on the declaration of interests by its employees. As a consequence, the school introduced a Register of Interests and Gifts.

All staff are required to register their interests, and gifts and hospitality above £50 in value on the Register by completing an annual form for the Bursar. If the cumulative value of a series of small gifts, or hospitality from the same (or connected source) exceeds £50 this too must be registered. If in doubt, either ask for guidance from the Bursar or simply register the gift(s).

The form can be accessed via the following link [T:Policies/Probity Policy](#) and is available on the school's intranet. Disclosures are confidential and covered by the Data Protection Act.

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.

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.

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 to 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's behaviour policy, recorded and not based on favouritism.

Staff should exercise care when selecting children for specific activities, jobs or privileges in order to avoid

*This means that staff should:*

- *be aware of and understand the school'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 an 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 pupil has become or may be becoming infatuated with either themselves or a colleague, should immediately report this to the Headmaster. In this way appropriate early intervention can be taken which can prevent escalation and avoid hurt, embarrassment or distress for those concerned.

The Headmaster will 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 will respond sensitively to the child and staff member and maintain the dignity of all. This plan should involve all parties, be robust and regularly monitored and reviewed.

## 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 children often seek to establish relationships and contact outside of the workplace with both the child and their parents, in order to ‘groom’ the adult and the child and/or create opportunities for sexual abuse.

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

*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*

*This means that the SLT would:*

- *put action plans in place where concerns are brought to their attention*

*This means that staff should:*

- *always approve any planned social contact with pupils or parents with the Headmaster, for example when it is part of a reward scheme*
- *advise the Headmaster 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 the Headmaster*
- *inform the Headmaster of any relationship with a parent where this extends beyond the usual*

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<sup>3</sup> If the Headmaster has the concern that a pupil is becoming infatuated with them, they should report this to the chair of governors.

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

*requests or arrangements where parents wish to use their services outside of the workplace e.g. babysitting, tutoring*

Staff should not establish or seek to establish social contact with pupils for the purpose of securing a relationship that involves an inappropriate level of emotional dependence (on either side) or that would otherwise represent an abuse of the position of trust.

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 in making a response and be aware that such social contact could be misconstrued. In particular, staff must be aware of their legal and professional responsibilities and their duty of care. 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 the Headmaster and where necessary referrals made to the appropriate support agency.

Staff should not put themselves in a position where it might appear that they are showing favouritism to one or more pupils. In particular, be aware that giving presents to individual pupils might raise concerns about 'grooming'. As far as possible, be consistent and transparent in how you reward pupils or otherwise foster teacher-pupil relationships. In addition, be aware of the potential for a pupil to form an unsolicited, emotionally-dependent, attachment to a teacher. In particular, if pastoral interactions with a pupil become inappropriate or difficult, then the relevant DSL should be immediately informed and guidance sought. The circumstances should be recorded in writing and, if necessary, a note placed on the child's file.

## **12. Communication with children (including the use of technology)- See Social Media Policy**

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. E-safety 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 (Social Media Policy).

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

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

Staff should adhere to the school'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*
- *use only equipment and Internet services provided by the school*
- *follow the school's Acceptable Use policy*
- *ensure that their use of technologies could not bring the school into disrepute*

### 13. Physical contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, 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 children 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.

Physical contact which occurs regularly with an individual child is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to pupils 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 child's permission before initiating contact. Staff should listen, observe and take note of the child'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 for the minimum time necessary.

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 child.

A 'no touch' approach is impractical for most staff and may in some circumstances be inappropriate.

Any physical contact should be in response to the child'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.

*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*

*This means that the school should:*

- *ensure they have a system in place for recording incidents and the means by which information about incidents and outcomes can be easily accessed by senior management*
- *provide staff, on a 'need to know' basis, with relevant information about vulnerable children in their care*

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 manager and recorded. Where appropriate, the manager should consult with either the SLT/HM/DSL or Local Authority Designated Officer (the DO).

Extra caution may be required where it is known that a child has suffered previous abuse or neglect. Staff need to be aware that the child may associate physical contact with such experiences and to lead staff being vulnerable to allegations of abuse. They also should recognise that these pupils may seek out inappropriate physical contact. In such circumstances staff should deter the child 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 child. Pupils with 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.

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

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

*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 a 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*



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 Line Manager and parent or carer.

It is good practice if 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.

#### Pupils in distress

There may be occasions when a distressed pupil needs comfort and reassurance. This may include age appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation. If a member of staff believes such action could be misinterpreted, the DSL should be informed of the incident and the circumstances should be recorded in writing as soon as possible, and, if appropriate, a copy placed on the child's file.

### **15. Intimate / personal care (including Changing Rooms, shower and toilet areas, drama dressing rooms and backstage areas)**

Schools and settings should have clear changing and intimate / personal care policies which ensure that the health, safety, independence and welfare of children is promoted and their dignity and privacy are respected. Arrangements for intimate and personal care should be open and transparent and accompanied by recording systems.

Pupils should be encouraged to act as independently as possible and to undertake as much of their own personal care as is possible and practicable. When assistance is required, this should normally be undertaken by one member of staff, however, they should try to ensure that another appropriate adult is in the vicinity who is aware of the task to be undertaken and that, wherever possible, they are visible and/or audible. Intimate or personal care procedures should not involve more than one member of staff unless the pupil's care plan specifies the reason for this.

*This means that schools/settings should:*

- *have in place up to date guidance and protocols on appropriate physical contact, that promote safe practice and include clear expectations of behaviour and conduct.*
- *ensure that staff are made aware of this guidance and that it is continually promoted*

*This means that education settings should:*

- *have written care plans in place for any pupil who could be expected to require intimate care*
- *ensure that pupils are actively consulted about their own care plan*

*This means that staff should:*

- *adhere to Rokeby's intimate and personal care and changing policies*
- *make other staff aware of the task being undertaken*
- *always explain to the pupil what is happening before a care procedure begins*
- *consult with colleagues where any variation from agreed procedure/care plan is necessary*
- *record the justification for any variations to the agreed procedure/care plan and share this information with the pupil and their parents/carers*
- *avoid any visually intrusive behaviour*
- *where there are changing rooms*
- *announce their intention of entering*

A signed record should be kept of all intimate and personal care tasks undertaken and, where these have been carried out in another room, should include times left and returned.

Any vulnerability, including those that may arise from a physical or learning difficulty should be considered when formulating the individual pupil's care plan. The views of parents, carers and the pupil, regardless of their age and understanding, should be actively sought in formulating the plan and in the necessary regular reviews of these arrangements.

Pupils are entitled to respect and privacy at all times and especially when in a state of undress, including, for example, when changing, toileting and showering.

However, there needs to be an appropriate level of supervision in order to safeguard pupils, 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 pupils concerned and sensitive to the potential for embarrassment.

When supervising boys using the changing rooms, staff should place themselves outside the main changing area, i.e. the corridor or locker area, and not inside the changing rooms, toilets or shower areas.

Staff should enter the changing rooms, toilets or shower areas only in an emergency or when addressing genuine concerns about a pupil's safety or welfare.

During production week for all drama productions, colleagues may at times have to enter dressing rooms to speak to members of the cast. They should knock, wait for permission to enter and remain in the dressing room for as little time as is necessary. If, when they enter, a boy is in a state of undress, they should leave immediately. The backstage corridor areas are places where boys often need to circulate half-way through dressing for a show; staff should apply their professional judgement in these areas and ensure that they are never alone with a single pupil in a situation which could be misconstrued or compromising.

- *always consider the supervision needs of the pupils and only remain in the room where their needs require this*

*This means that adults should not:*

- *change or toilet in the presence or sight of pupils*
- *shower with pupils*
- *assist with intimate or personal care tasks which the pupil is able to undertake independently*



Members of staff should not use the pupil's toilets during school hours, or when pupils are in the school building. When using external facilities for Games and sports or other trips, the time spent in shared public changing rooms or toilets should be kept to a minimum. Where practicable, staff-pupil use of such facilities should be staggered so as not to coincide.

It is acceptable, where necessary, to check briefly that boys are not loitering in the changing areas or toilets (for example when boys should be at assembly or in lessons).

If a member of staff believes their actions in any of these areas could be misinterpreted, the DSL should be informed of the incident and the circumstances should be recorded in writing as soon as possible and, if appropriate, a copy placed on the pupil's file.

## **16. Behaviour management (see behaviour policy)**

Corporal punishment and smacking is unlawful in all schools and early years settings.

All pupils have a right to be treated with respect and dignity. Equally, staff should not use any form of degrading or humiliating treatment to punish a child. The use of sarcasm, demeaning or insensitive comments towards children is completely unacceptable.

Where pupils display difficult or challenging behaviour, staff 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, should be drawn up and agreed by all parties, including, for example, a medical officer where appropriate.

Where a pupil's behavior causes concern, the school's behavior, rewards and sanctions policy should be adhered to. If a member of staff is in any doubt as to the best course of action, he or she should seek further guidance from their Line Manager, the SLT or the DSL.

*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 children 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*
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The SLT ensures that the school's behaviour policy includes clear guidance about the use of isolation and seclusion. The legislation on these strategies is complex and staff should take extreme care to avoid any practice that could be viewed as unlawful, a breach of the pupil's human rights and/or false imprisonment.

## **17. The use of control and physical intervention**

Early years providers must take all reasonable steps to ensure that corporal punishment is not given by any person who cares for or is in regular contact with a child, or by any person living or working in the premises where care is provided. A person will not be taken to have used corporal punishment if the action was taken for reasons that include averting an immediate danger of personal injury to, or an immediate danger of death of, any person including the child<sup>4</sup>.

The law and guidance for schools states that adults may reasonably intervene to prevent a child from:

- committing a criminal offence
- injuring themselves or others
- causing damage to property
- engaging in behaviour prejudicial to good order and to maintain good order and discipline.

Staff should have regard to the health and safety of themselves and others.

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 or setting judges that a child's behaviour presents a serious risk to themselves or others, they must always put in place a robust risk assessment which is reviewed regularly and, where relevant, a physical intervention plan.

*This means that the school should:*

- *ensure that they have a lawful physical intervention policy consistent with local and national guidance*
- *regularly acquaint staff with policy and guidance*
- *ensure that staff are provided with appropriate training and support*
- *have an agreed policy for when and how physical interventions should be recorded and reported*

*This means that staff should:*

- *adhere to the school's physical intervention policy*
- *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*

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<sup>4</sup> Para 3.52 EYFS and The Early Years Foundation Stage (Welfare Requirements) Regulations 2012,

Regulation 7.

In all cases where physical intervention has taken place, staff should record the incident and subsequent actions and report these to the Headmaster, DSL (anyone else) and the child's parents.

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

## **18. Sexual conduct**

Any sexual behaviour by a member of staff with or towards a pupil is unacceptable and illegal. 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<sup>5</sup> and sexual activity with a child 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 children 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.

Keeping Children Safe in Education (2014) defines sexual abuse as: [that which] 'involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing.

They may also include non-contact activities, such as involving children in looking at or in the production of sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).

*This means that staff should:*

- *not have any form of sexual contact with a pupil from the school*
- *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*

<sup>5</sup> Sexual Offences Act 2003: abuse of a position of trust





Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.'

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, and manipulate the relationship so sexual abuse can take place. All staff should undertake appropriate training so 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. Staff should be aware that conferring special attention and favour upon a child might be construed as being part of a 'grooming' process, which is an offence.

## **19. One to one situations**

Staff working in one to one situations with pupils, including visiting staff from external organisations such as those who provide individual specialist music tuition may be more vulnerable to allegations or complaints. Teachers and others should recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure the safety and security needs of both staff and pupils are met.

Where possible, staff should avoid meetings with pupils in remote, secluded areas of school. They should ensure that there is visual access and/or an open door in one to one situations. Should a child become distressed or angry during such a meeting, this must be reported to the Headmaster and a written report detailing the incident kept on the child's file.

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 away from the work premises should not be permitted unless the necessity for this is clear and approval is obtained from the Headmaster, 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*

## 20. Home visits

All work with pupils and parents should usually be undertaken in the school 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.

It is essential that appropriate policies and related risk assessments are in place to safeguard both staff and pupils, who can be more vulnerable in these situations.

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, child 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.

## 21. Transporting pupils (see Transport policy)

In certain situations, e.g. out of school activities, 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 school has a duty to carry out a risk assessment covering the health and safety of staff and to manage any known risks.<sup>6</sup>

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.

*This means that staff should:*

- agree the purpose for any home visit with their line 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
- ensure any behaviour or situation which gives rise to concern is discussed with their line manager

*This means that the school should:*

- ensure that they have a lone-working policy which all adults are made aware of. These should include arrangements for risk assessment and management
- ensure that all visits are justified and recorded
- ensure that staff are not exposed to unacceptable risk
- make clear to staff that, other than in an emergency, they should not enter a home if the parent/carer is absent
- ensure that staff have access to a mobile telephone and an emergency contact

*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



For journeys in private (including hired) cars belonging to staff the school has 'Occasional Business Use' insurance which covers the use of your car on behalf of the employer. For journeys using minibuses please see the guidance in the schools' Educational Visits Policy.

It is a legal requirement that all passengers wear seatbelts and the driver should ensure that they do so. They should also be aware of and adhere to current legislation regarding the use of car seats for younger children.

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

Staff should never offer to transport pupils outside of their normal working duties, other than in an emergency or where not doing so would mean the child may be at risk. In these circumstances the matter should be recorded and reported to both their manager and the child's parent(s). The school's health and safety policy and/or educational visits policy should set out the arrangements under which staff may use private vehicles to transport pupils

- 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

## 22. Educational visits (see Educational Visits policy)

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/health-and-safety-advice-for-schools><sup>7</sup>

The duties in the Health and Safety at Work etc. Act 1974 and the supporting regulations apply to activities taking place on or off the school premises (including school visits) in Great Britain. All school employers must have a Health and Safety policy. This should include policy and procedures for off-site visits, including residential visits and any school-led adventure activities.

*This means that staff should:*

- adhere to their organisation's educational visits guidance
- always have another adult present on visits, unless otherwise agreed with senior staff
- undertake risk assessments
- have parental consent to the activity
- ensure that their behaviour remains professional at all times
- never share beds with a child/pupil
- never share bedrooms unless it involves a dormitory situation and the arrangements

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<sup>6</sup> See also <https://www.gov.uk/government/publications/health-and-safety-advice-for-schools>

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, children 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 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 staff organising trips and outings should pay careful attention to ensuring there is a safe staff/child ratio and suitable gender mix of staff.

### **23. First Aid and medication (see First Aid Policy)**

The school has an adequate number of qualified first-aiders. Information about pupils with acute/allergies and/or medical needs is available on ISAMS. An updated list of these pupils is circulated to all staff on a regular basis. 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<sup>8</sup>

*This means that the school should:*

- *ensure there are trained and named individuals to undertake first aid responsibilities, including paediatric first aid if relevant*
- *ensure training is regularly monitored and updated*
- *refer to local and national First Aid*

<sup>7</sup> Guidance is also available from the Outdoor Education Advisers' Panel <http://oeapng.info/>

Staff should receive sufficient and suitable training and achieve the necessary level of competency before they take on responsibility to support children with medical conditions. In particular, staff who might have to administer Emergency Medication (such as an epipen) should receive appropriate training before leading an off-site visit or trip involving one or more boys who have to carry Emergency Medication.

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 child 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, children 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.

Should prescription medication be required during a school trip, the member of staff responsible for the trip should have a copy of the Medication Form from the school in advance of the trip.

Controlled Drugs are those which, under the Misuse of Drugs Regulations (2001), must be locked away appropriately and strictly monitored and recorded in a dedicated book as they are used. Should controlled drugs be required during a school trip, the staff member responsible for the trip should remain in possession of the medication and ensure that it is securely kept at all times and only administered as per the prescription.

- *make other staff aware of the task being undertaken*
- *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*

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<sup>8</sup> Teachers cannot be required to do these tasks but other members of staff, whose contracts are agreed locally, can be required to do so if their contracts provide for it

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. When administering first aid, wherever possible, staff should ensure that another adult is present, or aware of the action being taken.

Staff taking medication which may affect their ability to care for children should seek medical advice regarding their suitability to do so and the school will ensure that they only work directly with children if that advice confirms that the medication is unlikely to impair their ability to look after children. The school is also responsible for managing the performance of our employees and for ensuring they are suitable to work with children.

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

## **24. Photography, videos & other images (& use of personal mobile phones)**

**(See Social Media Policy and Staff Handbook)**

Many school activities involve recording images which are undertaken as part of the curriculum and extra school activities. These may be undertaken for displays, publicity, to celebrate achievement and to provide records of evidence of the activity. 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.

Parental agreement to the above is sought when the child starts at the school and parents have the right to alter their consent at any time. The Marketing Manager keeps a list of those parents who have provided consent and can provide confirmation to staff as required.

The school has arrangements in place with regard to the taking and use of images, which is linked to our safeguarding and child protection policy. This covers the wide range of devices which can be used for taking/recording images e.g. cameras, mobile-phones, smart phones, tablets, web-cams etc. and arrangements for the use of these by both staff, parents and visitors.

*This means that staff should:*

- *adhere to the school's 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*
- *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 that 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*



Whilst images are regularly used for very positive purposes staff need to be aware of the potential for these to be taken and/or misused or manipulated for pornographic or 'grooming' purposes. Particular regard needs to be given when images are taken of young or vulnerable children who may be unable to question why or how the activities are taking place.

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.

Making and using images of pupils will require the age appropriate consent of the individual concerned and their parents/carers. 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 school have access.

For the protection of the 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 child, (or, as a minimum, use first names rather than surnames)
- if the child is named, avoid using their image
- the school 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.

For the protection of pupils, mobile phones must not be used whilst in the presence of children.

## **25. Exposure to inappropriate images**

Staff should take extreme care to ensure that children 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 children (child 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.

*This means that staff should:*

- *keep their mobile phones on silent and out of sight during lessons, and not to make any use of them while on duty. Important messages can be held by Reception if required.*
- *It is understood that colleagues may take an important call from the school or respond to a message if the boys are being supervised by another or, on occasion, if they are working quietly and not engaged in practical activities.*
- *Professional discretion is appreciated. However regular use of such communication will cause distraction from supervision and teaching and is therefore to be avoided.*
- *Under no circumstances should staff use their own personal phones/devices to take photos of boys. School-owned and managed cameras are available for this purpose.*

*This means that staff should:*

- *abide by Rokeby's acceptable use and e-safety policies*

If indecent images of children are discovered at the school or on the school's equipment an immediate referral should be made to the Designated Safeguarding Lead, (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 children known to the school, a referral should also be made to children's social care in line with local arrangements.

Under no circumstances should any adult use school 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 children and young people.

Staff should keep their passwords confidential and not allow unauthorised access to equipment. In the event of any indecent images of children 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 they will be at risk of prosecution themselves.

## **26. Internet use (see ICT policy for staff)**

As part of our safeguarding policy we expect staff and pupils and, where appropriate, parents, to follow this protocol when using PCs and mobile devices. All of the advice contained in other sections of this Code apply equally in the digital realm. In addition, there are other risks, specific to the use of PCs, mobile devices, software applications and the internet, that need to be understood by those who work with school children.

All members of staff are required to read and follow the school's ICT Acceptable Use Policy and Social Media Policy. Staff must be aware of and comply with the Code of Conduct and in particular be aware that the code prohibits teachers from befriending pupils via social media (such as Facebook).

Our relevant policies and code apply to all practice in connection with your work at Rokeby, regardless of whether this is conducted over a school machine, a school system, on your own device or over systems belonging to you or a third party.

The Acceptable Use Policy provides the following advice:

[All staff must recognize that] once something is posted online it has a persistence that is not like something that is said. It is also replicable and searchable (directly and through its metadata), and you cannot be sure who your audience is or will be. Once something is posted online, its effects are often magnified and can be mirrored out of context. All of this requires experience to understand. Remember, when you post, you have not only your own reputation to consider but also that of others and that of the school. Every member of the community has to take responsibility for his or her actions online. If you are in doubt, it is best not to post, send an email etc.

We encourage staff to use digital technologies but to do in an informed, thoughtful way that is fully consistent with the position of trust we occupy.

The school promotes responsible participation with students through such means and this may involve sites or apps where users create profiles, form relationships and share information. Contact of this kind can enhance learning and personal development and can help to ensure supervision and safeguarding of pupils, as well as encouraging them to interact appropriately in the digital realm. However, staff must ensure that any such contact does not breach the guidance provided in section 7 (Standards of Behaviour) and 11. (Social contact outside the workplace) above.

Staff should ensure that they understand the tools they are using, the implications of any privacy and sharing settings, and, on a site-by-site basis, the terms and parameters of any connections or networks made. In particular, be sensitive to the potential for a relationship with a pupil to be misunderstood or misrepresented by the terminology or interface of a given online platform.

Certain sites and apps may lend themselves in a straightforward way to use at school, irrespective of whether this is by adults or pupils (e.g. a social app that records running). Others may require the creation of a separate account (e.g. Twitter) for teaching purposes or a thorough and careful understanding of the settings needed to ensure that pupils see only what you wish them to see (e.g. Facebook, Flickr).

Particular awareness is necessary of issues associated with words deployed to describe the establishment of contacts and networks on-line: there are innumerable ways, across countless sites, of defining or describing contacts and connections. For example, Facebook has distorted the usual understanding of the term "friending", and there are "circles" on Google.

Where a site or app is used in the course of a school activity or with a class, it is recommended that the idea is talked through with the [IT Manager] first: he/she will be able to advise and, if necessary will take the matter to the Headmaster. Pupils participating in such activities must not be identifiable in any way that puts them at risk. Where contributions and/or comments are created by pupils, the teacher in charge accepts full responsibility for the monitoring and moderating of the site or app and will treat any issues arising appropriately.

In any professional capacity, staff must not use pseudonyms or post anonymously, nor must they claim or appear to claim to represent or speak in the name of the school except where specific permission to do so has been given by the Headmaster.

A school email address should never be used for any personal use of social media.

Staff should be aware of their obligations to keep, as appropriate, records of contact with pupils. In particular, they should recognise the difficulties presented by certain messaging platforms, such as direct messaging. Where an interaction with a pupil or pupils indicates that records will be necessary, re-direct communication to a recordable platform, like email.

Staff may, of course choose to use social sites and apps in a personal capacity. It remains the case that 'when you post, you have not only your own reputation to consider but also that of others and that of the school'. You may wish to say where you work and what you do. Many people who do this include a disclaimer along the lines of 'the views expressed here are my own and not my employer's.' Such a disclaimer in no way dispenses with the need to exercise good judgement and care in what you say and do online.

All staff must understand the standards of behavior expected of them. Breaches of these standards may result in disciplinary action. Such breaches might include, but are not restricted to: failure to comply with the law or relevant regulatory bodies; communication of confidential or personal information; defamation or disparagement of the school or school community and its members; harassment or bullying; failure to comply with our policy concerning the use and distribution of images. The school's Disciplinary Procedure document gives specific examples of inappropriate use of the internet which may constitute gross misconduct.

During the school day our primary focus should be the education and welfare of pupils and any personal correspondence or business should not substantively inhibit or conflict with that focus.

In all things, staff should act with consideration and with an awareness of the trust invested in them for the safeguarding of pupils. Moreover, staff should be proactive in promoting good online practice by every member of the community. Your judgement will be informed by your experience, prior training, character and the context of any given situation, but it must also be informed by your professional obligations. Where you have concerns about a pupil's behavior online, or if you believe your own actions may be misinterpreted, you should immediately inform and take guidance from the [relevant member of SLT]/Headmaster. The IT Manager or, if appropriate, the DSL.

## 27. Curriculum (see Curriculum Policy)

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. Those with less experience should seek guidance from a senior member of staff such as their Head of Department.

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

Be aware that such discussions might affect particular boys more than others (for example, if a boy has suffered a related traumatic experience). Where a discussion takes a course that makes you feel uncomfortable or appears to make a boy feel uncomfortable, report it to your HoD as soon as possible. The circumstances should be recorded in writing as soon as possible, and if appropriate, a copy placed on the child's file.

Care should be taken to comply with the school's policy on spiritual, moral, social, cultural education (SMSC) which should promote 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 sex and relationships education (SRE). It should be noted that parents have the right to withdraw their children from all or part of any sex education provided but not from the National Curriculum for Science.

## 28. Whistleblowing

Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion regarding fraud, malpractice, health and safety, criminal offences, (including behaviour pertaining to radicalisation of others) miscarriages of justice, and failure to comply with legal obligations or unethical conduct.

*This means that staff should:*

- *have clear written lesson plans*
- *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 adults 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*

*This means that the school should:* 37



The school has a clear and accessible whistleblowing policy, published in the Staff Handbook, that meets the terms of the Public Interest Disclosure Act 1998. Staff who use whistleblowing procedures should have their employment rights protected.

Staff should recognise their individual responsibilities to bring matters of concern to the attention of the SLT or Headmaster 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 children may be at risk.

## **29. 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. Staff who are the subject of allegations are advised to contact their professional association.

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 Headmaster, line manager or Designated Safeguarding Lead as appropriate. Early discussion with a parent or carer could avoid any misunderstanding.

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 children they should immediately report this to the Headmaster, line manager or Designated Safeguarding Lead in line with the school's procedures.

## **30. Disclosure and Barring Service Checks**

All staff are subject to an enhanced Disclosure and Barring Service check before taking up their position at the school. It is the responsibility of members of staff to inform the Headmaster in confidence if they are charged with a criminal offence whilst in the employment of the school.

*This means that staff should:*

- *report any behaviour by colleagues that raises concern*
- *report allegations against staff and volunteers to the SLT or Headmaster, or where they have concerns about the Headmaster's response report these directly to the Governors.*

*This means that staff should:*

- *be familiar with the school's arrangements for reporting and recording concerns and allegations*
- *know how to contact the LADO / DO and ISI/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*

*This means that the school should:*

- *have an effective, confidential system for recording and managing concerns raised by any individual regarding adults' conduct and any allegations against staff and volunteers*



