

# **Bridgwater College Trust**

## **Code of Conduct**

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## **A CODE OF CONDUCT FOR ALL EMPLOYEES WORKING WITHIN BRIDGWATER COLLEGE TRUST**

### **INTRODUCTION**

Education professionals recognise that they may sometimes be victims of false or malicious allegations of child abuse by students and/or their parents/carers. All allegations of child abuse must be taken seriously. This will require that each allegation will be investigated.

The term 'allegation' means 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.

It may be necessary to suspend the employee concerned pending the outcome of any investigation, with all the inevitable consequences of public perception, and feelings and isolation. The Trust recognises that this will be a difficult and distressing experience especially if the allegations are eventually shown to be without foundation.

All staff should clearly understand the need to maintain appropriate boundaries in their dealings with students. Intimate or sexual relationships between staff and a student will be regarded as a breach of trust. It is a criminal offence for any persons who work with young people to abuse their position of trust. The offence is punishable on conviction by a fine of up to a statutory maximum and/or a term of imprisonment of up to 5 years. Whilst this advice is intended primarily for teachers it is relevant for all employees working with young people. The Chief Executive Officer and Headteachers will make use of this code within the induction or training for all staff.

This is not a new concern and teachers have long been vulnerable to this kind of allegation. Teachers and others have generally adopted a professional, common sense approach in order to minimise this vulnerability in their day-to-day dealings with young people. Changes in patterns of allegations and a heightened concern among teachers and their professional associations on behalf of their members who are affected by these allegations, have prompted the production of this Code of Conduct. This Code of Conduct is intended to help staff reduce further the risk of vulnerability to false or malicious allegations of misconduct or abuse towards students with whom they work. All employees will understand and appreciate that a code of conduct cannot cover all eventualities and will not totally remove the risk of false or malicious allegations.

This code does not replace or take priority over the Trust's Child Protection Procedures. All staff must be aware of the action that must be taken by employees when child abuse is suspected whether inside the Academy setting, at home or elsewhere or following any disclosure of alleged abuse.

Many staff will be reassured by the advice contained in this code. It will in many cases simply confirm good professional practice. However, heightened awareness of

abuse on the part of parents/carers and students and a high media profile given to child abuse cases make it advisable for all employees to re-examine their approaches to individual students and their teaching styles to ensure that these do not give any grounds for doubt or suspicion on the part of their colleagues, parents/carers or students.

## **THE CODE**

### **Reporting incidents**

All staff should report any concerns they may have following any incident where he/she feels that his/her actions may have been misinterpreted. This report should be made to the Headteacher or Trust Safeguarding Lead as soon as possible after the incident and should include as an immediate follow-up the preparation of a written note of the incident and copy of which should be given to the Headteacher or Trust Safeguarding Lead. The member of staff may also wish to seek advice from his/her professional association.

Headteachers who face similar situations are advised to report this immediately to the Chief Executive Officer or the Trust Safeguarding Lead.

Whilst the reporting of incidents is always advisable it is particularly important to ensure that a contemporaneous written record is made of any form of restraint that has been used against a student or wherever a student, parent/carer or third party has complained about an action or expressed an intention to complain.

The Trust has a Whistleblowing policy, which all staff are required to read and which explains the member of staff's duty to report any concerning activity.

### **General**

Employees should take care that their relationships with students reflect the age, gender and maturity of the students. It will be particularly important to ensure all aspects of demeanour, language and attitudes, however conveyed, do not give rise to misunderstandings, especially when dealing with adolescent boys and girls. Ambiguous or ambivalent comment and conduct, in particular, should be avoided.

### **Physical Contact**

Physical contact may be misconstrued by a student, parent/carer or observer. Touching students, including well-intentioned informal and formal gestures such as putting a hand on a shoulder or arm, can, if repeated regularly, lead to questions being raised. Staff must not make gratuitous physical contact with students and should avoid attributing 'touching' to their style as a way of relating to students.

Physical contact should be kept to a minimum, however there will be occasions when physical contact will be acceptable. In general these will fall into one of three categories:

## **Action to prevent harm or injury to the student or others**

If it is necessary to prevent a student causing injury to him/herself or to others the use of minimum force and contact necessary to prevent harm or injury is acceptable and defensible. Such incidents must be reported.

Further advice is contained in the DfE document 'Guidance on Physical Intervention for Teachers and Other Employees Working with Young People'. See also the Trust policy on 'Use of Reasonable Force'.

## **Comforting a student in distress**

There is no easy definition of what is acceptable since much will depend on the circumstances, the age of the students, the extent and cause of distress and the alternative means of providing comfort. Employees will need to use their professional judgement and discretion in relation to these factors. Employees should consider how others may perceive the action, even if no one else is present, and ensure that it does not develop into unnecessary contact. Particular care must be taken in instances which involve the same students over a period of time. Professional judgement should be exercised and staff should note dates and times for their own records.

## **Unavoidable contact**

This is a particularly sensitive issue in subjects such as Physical Education Drama, in some forms of skills coaching and during after school, residential and boarding activities. All teachers must be alert to the possibilities of misinterpreting any contact. To avoid such misunderstanding all planned contact must be demonstrably unavoidable. It may be, for example, that alternative methods involving demonstrations of particular techniques by the teacher or a particularly competent student may be more appropriate than modifying a student's technique by physical contact. It will generally not be acceptable for physical contact to take place between adolescent students and teachers. Where it is not possible to avoid contact to support a child to perform a task safely or assist them with an exercise, contact under these circumstances should be done with the child's agreement, for minimum time necessary and in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally. In cases of doubt or uncertainty staff should seek advice from the Trust Safeguarding Lead or DSL, who may seek external advice from the LADO.

There are occasions when physical contact may be questioned even if innocent or unintentional. Employees should therefore ensure that their actions recognise the possibility of misinterpretation and are open to the scrutiny of colleagues. Individual professional judgements will be required about the level of physical contact with individual children, which will take account of their age, circumstances and background.

## **Corporal Punishment**

Any form of physical punishment is prohibited under disciplinary procedures and potentially actionable in law. This also applies to any form of physical response to misbehaviour, with the exception noted above.

## **Confidentiality**

The storing and processing of personal information is governed by the Data Protection Act 1998. Staff will have access to confidential information about students and their families which must be kept confidential at all times and only shared when legally permissible to do so and in the interest of the child. Staff are expected to treat information they receive about students and their families in a discreet and confidential manner.

Records should only be shared with those who have a legitimate professional need to see them. Staff should never use confidential or personal information about a student 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 student's identity does not need to be disclosed the information should be used anonymously.

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

If a child, or their parent/carer, makes a disclosure regarding abuse or neglect, the member of staff must follow the Trust's Child Protection procedures. 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 Trust Safeguarding Lead or the Academy's Designated Safeguarding Lead.

## **Private meetings**

Private meetings, by their very nature, provide opportunities for students to make malicious allegations. Staff must recognise this possibility and plan such meetings accordingly. It is advisable to avoid remote areas of the Academy setting and to ensure that wherever possible the door is left open or visual contact with others is maintained. Under no circumstances should meetings with individual students be arranged off the Academy setting premises without the prior approval of the Chief Executive Officer or Headteacher. Where it is not possible to meet in the circumstances referred to above another member of staff should be told of the meeting beforehand. Steps to prevent others entering a room by the use of 'Meeting

in Progress' are especially likely to be open to misinterpretation. In many cases it will be advisable for another student or adult to be present.

Normally the only exception to this would be one-to-one work with a qualified counsellor to ensure client confidentiality and privacy whilst working within ethical guidelines. In these cases the BACP Ethics Framework for the Counselling Professions regarding protecting client confidentiality and privacy will apply.

### **Transporting of individual children in private cars**

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 the vehicle is roadworthy and appropriately insured (e.g., business insurance) and that the maximum carrying capacity is not exceeded.

If a student does need to be transported by a member of staff, the member of staff should gain express permission from the Chief Executive Officer or Headteacher. Prior consent must also be obtained from the parent/carer and staff should be aware that they remain responsible for the student's welfare and safety until safely passed back to their parent/carer. The student must sit in the back of the vehicle, not the passenger seat. There must be two members of staff in the vehicle with the student.

### **Personal care**

Arrangements for intimate and personal care should be open and transparent and accompanied by recording systems.

Students are encouraged to act as independently as responsible and to undertake as much of their own personal care as is possible and practicable. When assistance is required, this will be undertaken by two members of staff, however, one of the adults will only be in the vicinity aware of the task to be undertaken and visible and/or audible.

Intimate or personal care procedures should not involve more than one member of staff unless the student's care plan specifies the reason for this. A signed record is 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.

In Nursery and Primary settings, if children need to be changed and cleaned due to toileting incidents, the adult who does the changing will log this on a record sheet stored in the well-being folder for each class. Any vulnerability, including those that may arise from a physical or learning difficulty is considered when formulating the individual student's health and education care plan. The views of parents, carers and the student, regardless of their age and understanding, is actively sought in formulating the plan and the necessary regular reviews of these arrangements. Students are entitled to respect and privacy at all times and especially when in a

state of undress, including, for example, when changing, toileting, showering, and in dormitories.

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 supervisor should be appropriate to the needs of the young people concerned and sensitive to the potential for embarrassment.

### **First Aid**

The existence of any life threatening or serious condition will determine the suitability and necessity for physical contact. In the absence of such justification employees who administer first aid should ensure that, wherever possible, other children or another adult can be present if there is any doubt over the possibility of any physical contact being misconstrued.

### **Curriculum**

Many areas of the curriculum can include or raise subject matter which is sexually explicit or of a political or sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This can be supported by developing ground rules with students to ensure sensitive topics can be discussed in a safe learning environment, particularly in areas of risk and sensitivity and care should be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied e.g., drama. The curriculum can sometimes include, or lead to, unplanned discussion about subject matter of a sexually explicit, political or otherwise sensitive nature. Responding to children's questions requires careful judgement and staff should take guidance in these circumstances from the Safeguarding Team. Care should be given to comply with the Academy's policy on spiritual, moral, social, cultural (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/carers have the right to withdraw their children from all or part of any sex education provided but not from the National Curriculum for Science.

Informal or planned discussion during boarding time with individuals or groups should also take into account this guidance.

### **Comments and discussions with Students**

Employees must avoid comments to or about students that could be taken to have sexual overtones. It is equally unacceptable for employees to encourage details and discussion between groups of students which could be interpreted as having sexual overtones which are not justified in the context of the teaching programme. It will be especially helpful if Schemes of Work highlight particular areas of risk and sensitivity.

Specific guidance may be needed to assist newly qualified or other teachers who are new to this area of work. This will call for the exercise of careful judgement in responding to questions raised by students,

Staff may from time to time need to engage in conversation with students which cover sensitive matters. Staff must use their professional judgement to ensure that they are not drawn into areas inappropriate to their duties or their relationship with the student concerned.

Staff must also use their discretion to ensure that any probing for details cannot be construed as unjustified intrusion.

In responding to individual students' distress employees will need to consider carefully whether they should offer advice, sympathy or counselling if a discussion enters a sensitive area or, alternatively, refer them to a colleague or agency who is better placed to offer appropriate advice.

The persistent and hurtful use of sarcastic, demeaning or insensitive comments towards young people may also be regarded as a form of abuse which is potentially very damaging and should be avoided.

### **Infatuations and crushes**

These unfortunately do develop and can involve students and teachers of both sexes on both a heterosexual and homosexual basis; this can also include parents becoming infatuated with staff. They need to be handled sensitively. Careless and insensitive reactions have been known to provoke false accusations. It is therefore in the interests of all parties to avoid adding to the student's problems by encouraging the crush or making jokes about the situation. In such situations the advice of the Designated Safeguarding Lead or Trust Safeguarding Lead must be sought. Other members of staff have a part to play too in alerting a colleague to the possibility of an infatuation in order that appropriate steps can be taken to minimise hurt and distress and the risk to the teacher concerned. Whilst the risk of infatuation is not limited to younger members of staff, newly qualified teachers must recognise their particular vulnerability to adolescent infatuation.

### **Photography, videos and other images**

Many educational activities involve recording images. These may be undertaken for displays, publicity, to celebrate achievement and to provide records of evidence of activity.

Whilst images are regularly used for very positive purposes adults 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 how or why activities are taking place.

Students 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 student who appears uncomfortable and should recognise the potential for misinterpretation.



All recording images (photographs, films) should be taken using Academy equipment only and using Academy data storage devices.

Making and using images of students 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 setting have access. For the protection of children, it is recommended that when using images for publicity purposes that the following guidance should be followed:

- Use first names rather than full names
- If the child is named, avoid using their image
- Academies 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.

### **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 settings' or personal equipment, on or off the premises, or making, storing or disseminating such material is illegal.

If indecent images of children are discovered at the establishment or on the Academy or settings equipment, immediate referral should be made to the CEO or Trust Safeguarding Lead, who will refer it to the LADO and the Police will be contacted, if relevant. 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 LADO contacted without delay. Adults should not attempt to investigate the matter or evaluate the material themselves as this could lead to a contamination of evidence and a possibility they will be at risk of prosecution themselves.

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 Academy, a referral should also be made to children's social care in line with local arrangements. Under no circumstances should any adult use Academy or setting equipment to access pornography. Personal equipment containing pornography or links to it should never be brought into or used in the workplace. This will raise serious concerns about the suitability of the adult to continue working with children and young people.

Staff should keep their passwords confidential and not allow unauthorised access to equipment. All electronic devices, laptops, desk tops, iPads etc. MUST be locked by staff when not in use. The system will automatically lock after two minutes.

## **Out of Academy and After-Academy Activities**

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

It is acknowledged that staff may have genuine friendships and social contact with parents of students, independent of the professional relationship. Staff should, however, also be aware that professionals who have inappropriate relationships with 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.

However, there will be occasions where family members or personal friends attend the Academy and as a result, will have personal contact with a member of staff outside of the Academy hours. These relationships need to be openly shared with the Chief Executive Officer or Headteacher and DSL, to enable this to be documented on staff's personnel file.

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.

Staff should recognise that some types of social contact with students or their families could be perceived as harmful or exerting inappropriate influence on children, and may bring the setting into disrepute (e.g., attending a political protest, circulating propaganda). It is ok to attend together as long as attendance is not instigated by a staff member.

If a student or parent/carer seeks to establish social contact, or if it occurs coincidentally, the member of staff should exercise her/his professional judgement. This also applies to social contacts made through outside interests or the staff member's own family. Some staff may, as part of their professional role, be required to support a parent or carer. If that person comes to depend upon the staff member or seeks support outside of their professional role this should be discussed with senior management and where necessary referrals made to the appropriate support agency.

### **Boarding, Residential Trips**

For full details please also see the Trips and Visits policy.

Employees should take particular care when supervising students in the less formal atmosphere of a residential setting or after Academy activity. The more relaxed relationships that may promote successful activities can be misinterpreted by young people. It is important to emphasise that the standards of professional conduct and behaviour expected of employees should be no different to that which applies within the Academy. Employees should be aware of the particular care, which should be taken with older, more mature students in these circumstances.

Where boarding takes place, there is a risk that relationship boundaries between staff and students can become blurred. Boarding staff should take extra care to maintain professional relationships and should ensure all students are treated fairly and equitably. Boundaries with parents/carers in these settings need to also be observed. Any small gifts, rewards or treats must be fair, transparent and open to all students to avoid claims of favouritism.

Where Boarding or Residential activities take place, special consideration should be given to students' sleeping arrangements. In cases where a member of staff needs to enter a dormitory or bedroom, students' rights to privacy must be maintained.

In cases where students attend staff residence whilst boarding or on a residential trip, the student may knock on the staff member's door in an emergency, however must not enter the member of staff's residence or room.

### **Home visits**

All work with students and parents/carers should usually be undertaken in the Academy. There are however occasions, in response to an urgent, planned or specific situations or job role, where it is necessary to make one-off or regular home visits.

A risk assessment should be undertaken prior to any planned home visit taking place. The assessment should include an evaluation of any known factors regarding the student, 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. Another member of staff in school should know where the visiting member of staff is located and how to contact them. Staff are advised to take a mobile phone with them.

### **Teaching materials**

The use of books, videos and films of an explicit or sensitive nature, particularly in relation to language or sexual behaviour must be given careful consideration to ensure that its selection is not subsequently misinterpreted. There should always, therefore, be a link with the objectives of the teacher's Scheme of Work/programme. Staff at the Academy settings should give particular attention to phase specific curriculum guidance for Reception KS1, KS2 and secondary age students.

### **Health and Safety**

All staff have a responsibility towards health and safety.

Where students use farm machinery, industrial machinery, tools or chemicals, staff must ensure students are competent in their use, risk assessments have been completed, safety equipment is worn, and students are suitably supervised.

### **Personal letters and on-line communication**

It will rarely be appropriate for staff to write personal notes or letters, or to send e-mail, to individual students. If a member of staff believes it necessary to write a

personal note to a student, he/she should discuss the purpose and context with the Headteacher, Trust Safeguarding Lead or DSL.

This advice is not intended to curtail the use of e-mail where the Academy setting has agreed the use of this medium for submission of work, advice over aspects of subjects being covered or other professional matters and have ensured that parents and carers are aware of the Academy's policy. However, all staff using e-mail in this context need to be aware of the less formal style that can characterise this form of communication and should ensure that responses do not convey an inappropriate tone.

In particular, a friendly and chatty style committed to e-mail can easily be misconstrued by the recipient as the 'conversation' is effectively private to just two individuals, with all that implies.

All staff should keep passwords secure and ensure that no other person can gain access to their e-mail account and maliciously send messages which appear to have been written by them. Ideally both staff and students should use an e-mail address provided as part of an Academy internet service, even if they are sending messages whilst working at home. Since these services can be monitored, they provide a measure of protection for both parties. The Trust has implemented a code of conduct in which students and staff understand what to do if they receive inappropriate e-mail messages from any source.

The increased availability of internet 'chat rooms' and similar on-line forums also poses risks for children and staff. While they are popular among young people and offer many positive experiences, there is widespread concern about their potential abuse by paedophiles attempting to groom new victims. The Trust advice is that staff should not use unregulated chat rooms for children and should be aware that it is impossible to determine the age of any participant in these environments.

## **Mobile Phones**

The Trust accepts that employees will bring their mobile phones to work. As a general rule, employees are not permitted to make/receive calls/texts during work time (excluding break times). Staff should ensure that mobile phones are turned off or on silent at all times while on Academy premises. They should not be left on display.

In the event that an employee has a particular reason for a specified period of time, they may request via their line manager that they leave their phone on during working hours.

Staff are not at any time permitted to use recording equipment on their mobile phones, for example: to take photographs or videos of children.

Mobile phones should not be used in a space where children are present (e.g. Classroom, playground) unless express permission has been given by the Headteacher.

Staff should not leave the classroom during lessons to use their mobile phones.

## **Gifts**

Staff need to take care that they do not accept any gift, or offer of hospitality, that might be construed as a bribe by others or lead the giver to expect preferential treatment.

There are occasions when students or parents/carers wish to pass small tokens of appreciation to staff e.g., at Christmas 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 students or their families. This could be interpreted 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 in accordance with agreed practice, consistent with the setting's behaviour policy, recorded and not based on favouritism. If staff wish to pass on a small token to a student (e.g., if a class member is leaving), please speak to the Headteacher or Safeguarding Team to ensure it is open and clear as to why a gift is being given and logged.

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

## **Dress code**

In the Trust, the image we portray to students and parents play a vital role in ensuring we appear professional and lead by example.

Employees are expected to dress safely and appropriately for the role you undertake. Depending on your role other rules may be applied.

- Personal hygiene is essential and must be of the highest standard
- Jewellery if worn, must be discreet
- Make up, if worn, must be subtle
- Hair and hands should be clean
- No revealing clothing – no low cut or see through clothing – and shoulders should be covered
- Clothing should not display political or contentious slogans
- Any tattoos should be covered where possible
- No denim unless express permission is given by the Headteacher
- For health and safety reasons no flip flops or open toed footwear

## **Smoking and other substances policy**

All Bridgwater College Trust Academies are smoke and 'vape' free.

It is unacceptable for any member of staff to be under the influence of alcohol or drugs whilst discharging their duties or representing the Bridgwater College Trust.