



GUIDANCE ON EXPECTED CONDUCT IN SCHOOL SETTINGS

This document is intended to provide advice and guidance to staff members of the Oxford Diocesan Schools Trust (ODST), local governing body members in ODST schools and directors of the Trust on the standards of professional conduct expected by ODST staff members working in school settings. It is also intended to protect the reputation of both ODST staff members and the school where they work and protect the rights and interests of children and young people involved in ODST schools.

ODST staff members are encouraged to read this guidance, ensure that they understand it- asking their line manager/ Headteacher if there are any points that are unclear- and use this guidance alongside other school policies, to support them in their role. In respect of teachers specifically, this guidance aims to supplement the Teachers' Standards as set out in the School Teachers' Pay and Conditions Document and does not in any way replace them.

This guidance cannot cover every eventuality and does not replace the general requirements of the law, common sense and good conduct. Its purpose is to show the standards expected of ODST staff members. It should be noted though that there are circumstances in which breaches of this guidance- e.g. misconduct- could lead to disciplinary action which could ultimately result in dismissal.

SCOPE

Whilst this guidance is aimed primarily at those working in school settings, the standards outlined are also expected of those working centrally for ODST. It is also applicable to volunteers working with ODST.

CORE PRINCIPLES

Underlying this guidance are a number of core principles that are applicable to each member school in ODST:

- the welfare of children and young people and staff is paramount;
- staff members should always take responsibility for their own actions and behaviour and avoid any conduct which would lead any reasonable person to question their motivation and intentions;
- staff members should work, and be seen to work in an open and transparent way;
- staff members should discuss and/or take advice promptly from their line manager or another senior member of staff over any incident, which may give rise to concern;
- records should be made of any such incident and of decisions made/further actions agreed;
- all staff members should know the name of the Designated Child Protection Officer, be familiar with child protection arrangements and understand their responsibilities to safeguard and protect children and young people.

THE DUTY OF CARE

As an employer, ODST has a duty of care towards its staff members and is required to provide a safe working environment for staff and guidance about safe working practices.

All staff members, whether paid or voluntary, have a duty to keep children and young people safe and to protect them from physical and emotional harm. This duty is in part exercised through the development of respectful, caring and professional relationships between staff and children and young people and behaviour by staff that demonstrates integrity, maturity and good judgement.

Teachers and other staff are accountable for the way in which they exercise authority, manage risk, use resources, and protect children and young people from discrimination and avoidable harm.

There are legitimate high expectations about the nature of the professional involvement of staff in the lives of children and young people. When individuals accept a role that involves working with children and young people, they need to understand and acknowledge the responsibilities and trust inherent in that role.

PROFESSIONAL JUDGEMENT

This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff members and there may be occasions and circumstances in which staff members have to make decisions or take action in the best interests of the children and young people where no guidance exists. In such situations staff members are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children and staff in their charge and in so doing, will be seen to be acting reasonably.

Each member school within ODST will ensure that safeguarding procedures are in place and reviewed; that systems are in place which enable concerns to be raised and that staff members are not placed into situations which render them particularly vulnerable.

Where a scenario arises in which no specific guidance exists, staff members should discuss the circumstances that informed their action, or their proposed action, with a senior colleague so as to ensure that the safest practices are employed that reduce the risk of actions being misinterpreted.

REPORTING PROCEDURES

In the guidance that follows staff members in ODST schools are encouraged to raise any concerns with a line manager, senior member of staff or Headteacher in the first instance. In the event that this is not possible- e.g. where a Headteacher is the cause of those concerns- they should be raised in confidence with the ODST Director of Schools, who can be contacted on 01865 208241.

GOOD PRACTICE GUIDELINES- SAFEGUARDING

Position of Trust

All adults working with children and young people in an educational setting are in a position of trust. A relationship between a member of staff and a young person cannot be a relationship between equals and whilst there is potential for exploitation and harm of vulnerable children and young people, staff members have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Staff members should always maintain appropriate professionalism and wherever possible, they should avoid behaviour which might be misinterpreted by others, and report and record any incident with this potential.

Physical Contact

There are occasions when it is entirely appropriate and proper for staff members to have physical contact with children and young people, but it is crucial that they only do so in ways appropriate to their professional role.

A 'no touch' approach is impractical for most staff and may in some circumstances be inappropriate. When physical contact is made with children and young people this should be in response to their needs at the time, of limited duration and appropriate. Staff members should therefore use their professional judgement at all times about the appropriateness of any physical contact.

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 could be misinterpreted, the incident and circumstances should be reported promptly to a line manager or another senior member of the team such as the Headteacher.

Physical contact, which occurs regularly with an individual child or young person is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to children and young people with SEN or physical disabilities). Examples of where touching a pupil might be proper or necessary include:

- Holding the hand of the child at the front/back of the line when going to assembly or when walking together around the school;
- When comforting a distressed pupil;
- When a pupil is being congratulated or praised;
- To demonstrate how to use a musical instrument;
- To demonstrate exercises or techniques during PE lessons or sports coaching; and
- To give first aid.

Each member school within ODST should ensure they have a system in place for recording serious incidents and provide staff members, on a "need to know" basis, with relevant information about vulnerable children and young people in their care.

In practical terms staff members should:

- be aware that even well intentioned physical contact can be misconstrued by a child or young person, an observer or by anyone to whom this action is described;
- never touch a child or young person in a way which may be considered indecent;
- always be prepared to explain actions and accept that all physical contact be open to scrutiny.

Care, Control and Physical Intervention

Staff members may legitimately intervene to prevent a child or young person 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. In such situations staff members should have regard to the health and safety of themselves and others but under no circumstances should physical force be used as a form of punishment. In cases where physical intervention is deemed necessary, the incident and subsequent actions should be documented and reported and a staff member should always ensure that they follow the school's Behaviour Policy, seek to defuse situations and use the minimum of force for the shortest period necessary. Any incident in which physical intervention is applied should be reported to the Headteacher at the earliest possible opportunity.

One to One Situations

Staff members working in one-to-one situations with children or young people are in a particularly sensitive position and this should be recognised and every attempt should be made to ensure the safety and security needs of both staff and children and young people are met.

Pre-arranged meetings with children and young people that take place away from the school premises should not be permitted unless approval is obtained from a parent and the Headteacher or other senior colleague with delegated authority.

In practical terms staff members should:

- avoid meetings with children or young people in remote or secluded areas of the school;
- ensure there is visual access and/or an open door in one-to-one situations;
- inform other staff of the meeting beforehand, assessing the need to have them present or close by;
- avoid use of 'engaged' or equivalent signs wherever possible to avoid any interpretation of secrecy;
- always report any situation where a child becomes distressed or angry to a senior colleague;
- consider the needs and circumstances of the child/children involved.

Children and young people in distress

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

Where a member of staff has a particular concern about the need to provide this type of care and reassurance s/he should seek further advice from their line manager or Headteacher.

In practical terms staff members should

- consider the way in which they offer comfort to a distressed child or young person;
- always tell a colleague when and how they offered comfort to a distressed child or young person;
- ensure that any situations that could potentially give rise to concern are recorded.

Social Contact

Staff members should not establish or seek to establish social contact with children or young people, or their families, for the purpose of securing a friendship or to pursue or strengthen a relationship. Even if a young person seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise their professional judgement in making a response but should always discuss this with their line manager or the Headteacher. (Guidance on use of social media is given in full in a separate section)

Staff should never give their personal details such as their home or e-mail address or social network details unless there has been specific prior agreement given by the Headteacher.

In practical terms staff members should:

- have no secret social contact with any child or young person;
- advise senior leadership of any regular social contact they have with a child or young person or a parent which may give rise to concern;
- report and record any situation, which they feel, might compromise the school or their own professional standing.

Infatuations

Staff members should be aware that it is possible for children and young people to develop an attraction to an adult member of staff and/or develop an infatuation. Such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made.

Where a member of staff becomes aware that a child or young person may be infatuated with themselves or a colleague they should discuss this at the earliest opportunity with their line manager or Headteacher so that appropriate action can be taken. In this way, steps can be taken to avoid hurt and distress for all concerned.

In practical terms staff members should:

- report to their line manager or Headteacher any indications (whether verbal, written or physical) that indicate a child or young person may be infatuated with a member of staff;
- be mindful if alone in a room with a child or young person, leaving the door open if you need be.

Personal Living Space

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

In practical terms staff members should:

- always be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations;
- be mindful of the need to maintain professional boundaries.

Physical Education and other activities which require physical contact

Some staff members, for example, those who lead PE and games or who offer music tuition, will on occasions have to initiate physical contact with children and young people in order to provide support so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument, or assist them with an exercise. This should be done with the child or young person's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity and wherever possible take place in an open environment so that it cannot be misconstrued and only for as long as is necessary for safe practice. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the student.

In practical terms staff members should:

- consider alternatives, where it is anticipated that a student might misinterpret any such contact, perhaps involving another member of staff, or a less vulnerable student in the demonstration;
- always explain to a student the reason why contact is necessary and what form that contact will take unless their safety is at immediate risk and check they give their permission.

Showers and Changing

Children and young people are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard children and young people, 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 children and young people concerned and sensitive to the potential for embarrassment. Teachers will need to make a 'professional judgement' based on their knowledge of the groups they are working with taking into account their age, behaviour, group size and dynamics, potential bullying, location and safety aspects of the changing rooms themselves.

Staff members therefore need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the children and young people.

Whether teachers need to 'stay in the changing room' will depend on the above but as a minimum they should be moving in and out of the changing rooms to maintain a 'staff presence', assuming appropriate gender staff are present.

In practical terms staff members should:

- avoid any physical contact when children and young people are in a state of undress;
- avoid any visually intrusive behaviour.

Sexual Contact with Children and Young People

A child below the age of 16 cannot give legal consent to sexual activity and any sexual behaviour by a member of staff with or towards a child or young person is both inappropriate and illegal.

This does not just involve physical contact but may also include non- contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material.

There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child, and manipulate that relationship so sexual abuse can take place. 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.

In practical terms staff members should:

- not pursue sexual relationships with children and young people either in or out of school;
- avoid any form of communication with a child or young person which could be interpreted as sexually suggestive such as verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact.

Transporting Children

There may be occasions, such as out of school activities, where staff members or volunteers agree to transport children and young people.

In such situations staff members should ensure that their behaviour is at all times safe and that the transport arrangements and the vehicle meet all legal requirements; this includes ensuring that the vehicle, if privately owned is both roadworthy and appropriately insured and that appropriate risk assessments have been undertaken.

In practical terms staff members should:

- ensure that they are alone with a child for the minimum time possible;
- be aware that the safety and welfare of the child is their responsibility until this is safely passed over to a parent/carers;
- report the nature of the journey, the route and expected time of arrival in accordance with agreed procedures;
- ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety and take into account any specific needs that the child may have.

Extra-curricular activities

Staff members should always take particular care when supervising children and young people in the less formal atmosphere of a residential setting or after-school activity. Throughout such activities 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 and parents should be informed of these prior to the start of the trip.

Health and Safety arrangements require members of staff to keep colleagues /employers aware of their whereabouts, especially when involved in an out of school activity.

In practical terms staff members should:

- always have another adult present in out-of-school activities, unless otherwise agreed with the Headteacher;
- undertake risk assessments where applicable;
- have parental consent to the activity;
- ensure that their behaviour towards the children and each other remains professional at all times.

GOOD PRACTICE GUIDELINES- COMMUNICATIONS AND NEW MEDIA

Communication with children and young people (including the use of technology)

Communication between children and young people adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones, text messaging, e-mails, digital cameras, videos, web-cams, websites, social networking sites, online gaming and blogs.

Staff members should not share any personal information with a child or young person nor should they request, or respond to, any personal information from the child or young person, other than that which might be appropriate as part of their professional role. Where such communication is required it should be completely transparent.

Staff members should also be circumspect in their communications with children and young people so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. Personal contact details including e-mail, home or mobile telephone numbers should never be exchanged unless the need to do so is agreed in advance with the Headteacher and parents and in the rare event that e-mail or text communications between an adult and a child or young person takes place, agreed protocols must be followed.

In practical terms staff members should:

- communicate with children and young people in an appropriate and professional manner, making sure that parents have given permission for this form of communication to be used;
- only make contact with children and young people for professional reasons;
- not use internet or web-based communication channels to send personal messages to a child or young person;
- only give their personal contact details to children or young people for professional reasons and with the knowledge and permission of the Headteacher;
- not have images of children and young people stored on personal cameras, devices or home computers;
- not make images of children and young people available on the internet, other than through the school network/website, without permission from parents and the Headteacher;
- Be cautious in their contact with ex-pupils and maintain professional boundaries.

Social Networking Sites and Online Gaming

Whilst ODST staff may use social networking sites for personal use, staff members are encouraged to 'lock down' as private and personal information such as profiles and photos to ensure that neither children and young people or parents have access to their personal data or images.

In a similar way to avoid becoming vulnerable staff members should deny access to their profile to current or former pupils.

Staff members should be aware that they leave themselves open to a charge of professional misconduct if personal images of them in a compromising situation are made available on a public profile by anyone.

Where relationships exist between staff members and those who are also parents at the school, or personal friends who are parents at the school, social networking is acceptable but caution must be exercised so that professional standards are maintained and staff members do not compromise themselves or the school.

In practical terms staff members should:

- lock down their profile to ensure that data and images are not freely available. Please seek advice if you are unsure how to do this;
- not permit current and recent pupils or parents to have access to your profile;
- ensure all your passwords are kept strong and secure;
- be aware that images of others should be protected and be treated as carefully as you would your own.

Internet Use

Whilst some personal internet usage may be permitted out of working time, all staff members should follow the e-mail and internet policy applicable in their school.

Using school equipment to access inappropriate or indecent material, including adult pornography, would normally lead to disciplinary action, particularly if as a result children and young people might be exposed to inappropriate or indecent material. Accessing child pornography or indecent images of children on the internet, and making, storing or disseminating such material, is also illegal and, if proven, will invariably lead to the individual being barred from work with children and young people and potentially subject to prosecution.

Should a member of staff have any concerns about a colleague, particularly where the welfare of children and young people may be at risk, they should report any such behaviour to the Headteacher or follow the ODST Whistleblowing Policy.

Photography, Videos and other Creative Arts

Many school activities involve recording images. These may be undertaken as part of the curriculum, out-of-school activities, for publicity, or to celebrate achievement. Staff members need to be aware of the potential for these aspects of teaching to be misused for pornographic or 'grooming' purposes. Careful consideration should be given as to how these activities are organized and undertaken.

Whilst parental consent is obtained for the use of images to publicise the school, in practical terms staff members should:

- be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded;
- ensure that the line manager/ Headteacher is aware that the photography/image equipment is being used and for what purpose;
- ensure that all images are available for scrutiny in order to screen for acceptability;
- be able to justify images of children and young people in their possession;
- avoid making images in one-to-one situations.

GOOD PRACTICE GUIDELINES- GENERAL PRINCIPLES

Confidentiality

Members of staff may have access to confidential or sensitive information about children and young people and staff in order to undertake their everyday responsibilities. This should never be used for their own, or others' advantage and any such information must never be used to intimidate, humiliate, or embarrass a child or young person or a colleague.

Confidential information about children, young people or colleagues should never be used casually in conversation or shared with any person other than on a need to know basis. In circumstances where the person'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 child or young person, for example when abuse is alleged or suspected. In such cases, there is a duty of care to pass information on without delay, but only to those with designated child protection responsibilities.

If a member of staff is in any doubt about whether to share information or keep it confidential he or she should speak to their line manager or the Headteacher. Any media or legal enquiries should be directed back to the central ODST team.

Staff members need to be aware that although it is important to listen to and support children and young people, they must not promise confidentiality or request others to do the same under any circumstances. Additionally, any concerns and allegations about adults should be treated as confidential and passed to a line manager or Headteacher without delay.

In practical terms staff members should:

- treat information they receive about children, young people and colleagues in a discreet and confidential manner;
- in any doubt about sharing information they hold or which has been requested of them should seek advice from their line manager or Headteacher;
- be cautious when passing information to others about a child, young person or colleague;
- know to whom any concerns or allegations should be reported;
- not leave confidential paperwork in places where children, young people or colleagues can access it
- not leave PCs / laptops open and unlocked available to others to access.

Equality issues

All staff members are expected to adhere to the ODST equality and Diversity Procedures and to ensure that they:

- maintain equality in all recruitment and employment practices, and in the delivery of services;
- maintain equality in their dealings with parents and other members of the public, to ensure the provision of an efficient and impartial delivery to all individuals.

Dress and Appearance

Staff members should ensure that they are dressed decently, safely and appropriately for the tasks that they undertake and that they promote a positive and professional image at all times.

In practical terms staff members should:

- promote a positive and professional image;
- dress in a manner appropriate to their role in a way that is not likely to be viewed as offensive, revealing, or sexually provocative;
- dress in a manner which does not distract, cause embarrassment, give rise to misunderstanding or contain any political or otherwise contentious slogan.

Financial inducements, gifts, hospitality and sponsorship

Staff members should ensure that they use funds entrusted to them in a responsible and lawful manner and that they do not give or receive any gift, loan, fee, reward or advantage, which might be misinterpreted.

Although staff should not give or receive gifts from pupils or parents on a regular basis or of any significant value, it is acceptable for staff to receive small tokens of appreciation, such as at Christmas time or the end of the school year.

In practical terms staff members should:

- ensure that gifts received or given in situations which may be misconstrued are declared;
- ensure that gifts of significant value are declared;
- generally, only give gifts to an individual young person 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 children and young people equally.

SHARING CONCERNS

Sharing Concerns and Recording Incidents

All staff members should be aware of the school's child protection procedures, including procedures for dealing with allegations against staff. Staff who are the subject of allegations are advised to contact their professional association.

In the event of an incident occurring, which may result in an action being misinterpreted and/or an allegation being made against a member of staff, the relevant information should be clearly and promptly recorded and reported to your line manager or Headteacher. Early discussion with a parent could avoid any misunderstanding.

Members of staff should feel able to discuss with their line manager or headteacher any difficulties or problems that may affect their relationship with children and young people so that appropriate support can be provided or action can be taken.

In practical terms staff members should:

- be familiar with the Child Protection procedures in place in their school;
- should take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the school or workplace.

FURTHER GUIDANCE

- ODST safeguarding and child-protection policy (in line with OCC and the OSCB)
- ODST Equality and Diversity Procedures
- ODST Disciplinary Policy
- ODST Whistleblowing Policy
- Statutory school Policies: school behaviour, health and safety, behaviour principles, complaints procedure, statement of procedure for dealing with allegations of abuse by staff
- ODST guidance on social media
- DFE safeguarding guidance available at: <https://www.gov.uk/topic/schools-colleges-childrens-services/safeguarding-children>
- DFE Teacher Standards available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/283566/Teachers_standard_information.pdf

All model ODST policies are available online at www.odst.org.uk/policies

GENERAL GUIDANCE- DO'S AND DON'TS

DO:

- Report all Health and Safety issues without delay
- Keep children and young people safe and protect them from physical and emotional harm
- Look after yourself
- Treat everyone with respect
- Provide a positive example you wish others to follow
- Work with another appropriate adult in all planned activities whenever possible
- Make sure you are seen and/or heard by others if working alone with a student
- Respect peoples' right to personal private
- Create an environment in which people feel comfortable pointing out attitudes and behaviours they don't like
- Report and challenge all inappropriate and/or abusive activities, such as ridicule or bullying
- Familiarise yourself with your school code of behaviour
- Report any gifts you receive and ensure they are not of significant value or intention
- Give gifts to children and young people ONLY as part of an agreed reward system
- Follow procedures for reporting all allegations against staff and volunteers

DO NOT:

- Use your position to gain access to information for your own advantage or another's detriment
- Intimidate, threaten, coerce or undermine anyone
- Engage in a sexual activity (even consensual) with a student under 18 years who is attending your educational establishment
- Play games or have physical contact that is inappropriate
- Jump to conclusions about people's behaviour without checking facts
- Investigate any allegations by yourself
- Make suggestive remarks or gestures, tell jokes of a sexual nature or engage in inappropriate verbal banter
- Create a personal relationship with a student where one does not already exist
- Give any personal details about yourself or others to a student unless you have agreed this with a senior member of staff
- Allow any children and young people access any of your personal accounts on social networking sites
- Rely on your good name to protect you – it may not be enough
- Believe that an allegation could not be made against you: it could