

*‘Celebrating Learning Together’*

**Shebbear Community School**

**Staff Code of Conduct**

**Reviewed September 2019**

**Date of next review: September 2020**

**This code of conduct is based on a Devon County Council model document which incorporates the document ‘Guidance for safer working practices for those working with children and young people in education settings (September 2019).**

*To be read in conjunction with the school safeguarding policies and guidance on safer internet use and use of social media*

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| **Section 1 - Overview** | **Contents** |
| **1.1** | Background |
| **1.2** | What to do if you are worried a child is being abused |
| **Section 2 – using the guidance** |  |
| **2.1** | Status of the document |
| **2.2** | Purpose of the guidance |
| **2.3** | Underlying principles |
| **2.4** | Definitions |
| **2.5** | How to use the document |
| **Section 3 – Guidance for safer working practice** |  |
| **3.1** | Context |
| **3.2** | Unsuitability |
| **3.3** | Duty of care |
| **3.4** | Confidentiality |
| **3.5** | Making a professional judgement |
| **3.6** | Power and positions of trust |
| **3.7** | Propriety and behaviour |
| **3.8** | Dress and appearance |
| **3.9** | Use of personal living space |
| **3.10** | Gifts, rewards and favouritism |
| **3.11** | Infatuations |
| **3.12** | Communication with pupils |
| **3.13** | Social contact |
| **3.14** | Sexual contact |
| **3.15** | Physical contact |
| **3.16** | Other activities that require physical contact |
| **3.17** | Behaviour management |
| **3.18** | Use of control and physical intervention |
| **3.19** | Children and young people in distress |
| **3.20** | Intimate care |
| **3.21** | Personal care |
| **3.22** | First Aid and administration of medication |
| **3.23** | One to one situations |
| **3.24** | Home visits |
| **3.25** | Transporting pupils |
| **3.26** | Education visits and after school activities |
| **3.27** | Photography and videos |
| **3.28** | Access to inappropriate images and internet usage |
| **3.29** | Supervision during examinations |
| **3.30** | Curriculum |
| **3.31** | Whistle-blowing |
| **3.32** | Sharing Concerns and Recording Incidents |

**Section 1: Overview**

**1.1. Background**

All adults who come into contact with pupils in their work have a duty of care1 to safeguard and

promote their welfare.

The **‘Keeping Children Safe in Education’, (September 2019),** statutory guidance for schools and colleges is issued from the Department for Education issued under Section 175, Education Act, the Education (Independent School Standards) (England) Regulations 2010 as amended by SI 2012/2962 and the Education (Non-Maintained Special Schools) (England) Regulations 2011 ‘Schools and colleges must have regard to it when carrying out their duties to safeguard and promote the welfare of children. This statutory guidance also states:

“Governing Bodies and proprietors should ensure there is an effective safeguarding and child protection policy in place together with a staff behaviour policy (code of conduct). Both should be provided to staff – including temporary staff and volunteers – on induction.” (ref: para 13 page 5)

The Children Act 2004 places a duty on schools/services to safeguard2 and promote the well-being of pupils.

The **‘Teachers’ Standards’, ( May 2012)**

Part 2: Personal and professional conduct refers to:

“Upholding public trust in the profession and maintaining high standards of ethics and behaviour, within and outside the school, by:

* Treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher’s professional position
* Having the need to safeguard pupils’ well-being, in accordance with statutory provisions
* Showing tolerance of and respect for the rights of others
* Not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
* Ensuring that personal beliefs are not expressed in ways which exploit pupils’ vulnerability or might lead them to break the law.”

All educational settings need to ensure that all adults who work with or on behalf of pupils are competent, confident and safe to do so. The vast majority of adults 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 pupils in their care. However, it is recognised that in this area of work tensions and misunderstandings can occur. It is here that the behaviour of adults can give rise to allegations of abuse being made against them. Allegations may be malicious or misplaced. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned. Equally, it must be recognised that some allegations will be genuine and there are adults who will deliberately seek out, create or exploit opportunities to abuse children. It is therefore essential that all possible steps are taken to safeguard pupils and ensure that the adults working with them are safe to do so.

Some concerns have been raised about the potential vulnerability of adults in this area of work. It

has been suggested that there is a need for clearer advice about what constitutes illegal behaviour and what might be considered as misconduct. This document has been produced in response to these concerns and provides practical guidance for anyone who works with, or on behalf of pupils regardless of their role, responsibilities or status. It seeks to ensure that the duty to promote and safeguard the wellbeing of children is in part**,** achieved by raising awareness of illegal, unsafe and inappropriate behaviours.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that this

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 their employer. It is expected that in these circumstances adults will always advise their senior colleagues of the justification for any such action already taken or proposed.

It is also recognised that not all adults who work with pupils work as paid or contracted

employees. The principles and guidance outlined in this document still apply and should be followed by any adult whose work brings them into contact with pupils.

The guidance contained in this document has due regard to current legislation and statutory

guidance. It has been updated from a previous 2009 version.

1 The duty which rests upon an individual to ensure that all reasonable steps are taken to ensure the safety of a child or

young person involved in any activity, or interaction for which that individual is responsible. Any person in charge of, or

working with pupils in any capacity is considered, both legally and morally, to owe them a duty of care

2 The action we take to:- protect children from maltreatment; prevent impairment of children’s health or development; ensure that children grow up in circumstances consistent with the provision of safe and effective care; and enable all children to have the best outcomes. ‘Working Together to Safeguard Children: 2013’ HM Government

**1.2. What to do if you are worried a child is being abused3**

Everyone working with pupils should be familiar with local procedures and protocols for safeguarding the welfare of pupils. Adults have a duty to report any child protection or welfare concerns to a designated member of staff in their school/service and/or report any concerns to the local social care office. Anyone who has concerns or is in doubt should refer to the document **‘Keeping Children Safe in Education’ part one** and follow that guidance. Part one is statutory reading for all staff in schools and colleges.

3 **‘Keeping Children Safe in Education** ‘DfE September 2019

**Section 2: Using the Guidance**

**2.1. Status of Document**

The original document, **‘Safer working practice for adults in educational settings’ (2009**) document was commissioned by the Department for Children, Schools and Families and subsequently the Department for Education and Skills. It did not replace or take priority over advice or codes of conduct produced by employers or national bodies, but was intended to both supplement and complement any such documents.

This revised document (September 2019) should complement existing professional procedures, protocols and guidance which relate to specific roles, responsibilities or professional practices within an Education setting.

**2.2. Purpose of Guidance**

It is important that all adults working with children understand that the nature of their work and the responsibilities related to it, place them in a position of trust. This practice guidance provides clear advice on appropriate and safe behaviours for all adults working with children in paid or unpaid capacities, in all settings and in all contexts.

The guidance aims to:

keep children safe by clarifying which behaviours constitute safe practice and which

behaviours should be avoided;

assist adults working with children to work safely and responsibly and to monitor their own

standards and practice;

support managers and employers in setting clear expectations of behaviour and/or codes of

practice relevant to the services being provided;

support employers in giving a clear message that unlawful or unsafe behaviour is

unacceptable and that, where appropriate, disciplinary or legal action will be taken;

support safer recruitment practice;

minimise the risk of misplaced or malicious allegations made against adults who work with

pupils;

reduce the incidence of positions of trust being abused or misused.

Employers should be familiar with, and know how to access, their Local Safeguarding Children

Board’s policy and procedures for managing allegations against staff.

**2.3. Underpinning Principles**

The welfare of the child is paramount.4

It is the responsibility of all adults to safeguard and promote the welfare of pupils. This

responsibility extends to a duty of care for those adults employed, commissioned or

contracted to work with pupils.

Adults who work with children 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.

Adults should work and be seen to work, in an open and transparent way.

The same professional standards should always be applied regardless of culture, disability,

gender, language, racial origin, religious belief and/or sexual identity.

Adults should continually monitor and review their practice and ensure they follow the

guidance contained in this document.

4 Children Act 1989

**2.4. Definitions**

For ease of reading, references are often made to:-

* **School -** This term is interchangeable with all other types of educational establishments e.g. FE Institutions, Sixth Form Colleges, Pupil Referral Units.
* **Pupils/Students/Children and Young people** - These terms are interchangeable and refer to children who have not yet reached their 18th birthday.
* **Adults:** References to ‘adults’ or ‘volunteers’ refer to any adult who is employed, commissioned or contracted to work with or on behalf of pupils in either a paid or unpaid capacity.
* **Head teacher/Manager:** These terms refers to those adults who have responsibility for managing staff and/or services including the supervision of employees and/or volunteers at any level.
* **Employer**: The term ‘employer’ refers to the school/service which employs, or contracts to use the services of individuals in pursuit of the goals of that school/service. In the context of this document, the term ‘employer’ is also taken to include ‘employing’ the unpaid services of volunteers.

http://www.safetyline.wa.gov.au/institute/level1/course2/lecture2/l02\_01.asp

**2.5. How to Use the Document**

This document is relevant to both individuals and schools/services working with or on behalf of pupils. Where an individual works independently and does not work as part of a school/service references made to the ‘senior manager’ should be taken to refer to parents or those with parenting responsibilities. Each section provides general guidance about a particular aspect of work undertaken with pupils with, in the right hand column, specific guidance about which behaviours should be avoided and which are recommended. Some schools/services may need to adapt or add to the guidance to meet their specific practices or contexts. There are also variations of this document which have been written specifically for a generic audience or have been adapted for specific agencies.

It is recommended that schools/services use this guidance to develop and promote safer working

practice by ensuring that all employees and volunteers are made aware of its contents, have access to the document and understand the expectation that they will work to it.

Incorporating the use of this document in **recruitment and selection processes** will help to prevent and deter unsuitable people from working with children and young people.

Providing employees and volunteers with **clear guidance on appointment and revisiting this guidance through induction, supervision, performance management, training programmes etc,** will also help to ensure a safer children’s workforce.

Head teachers, Chairs and Governing bodies will be better placed to **deal with unsuitable or inappropriate behaviour** if their expectations have been made clear and reinforced throughout a person’s employment and there is evidence that this has been done.

**Individuals should follow this guidance in their day to day practice**. It should also be referred to when taking on new work, different duties or additional responsibilities.

**Section 3: Guidance for Safe Working Practice**

**3.1 Context**

Staff working in education settings have a crucial role to play

*This means that these guidelines:*

- *apply to* ***all*** *adults working in*

*education settings whatever their*

*position, role, or responsibilities*

-*may provide guidance where an*

*individual’s suitability to work with*

*pupils has been called into question.*

in shaping the lives of young people. They have a unique

opportunity to interact with children and young people in

ways that are both affirming and inspiring. This guidance has

been produced to help adults establish the safest possible

learning and working environments which safeguard children

and young people and reduce the risk of adults working with

them being falsely accused of improper or unprofessional

conduct.

*This means that adults should:*

-*have a clear understanding about the nature and content of this document*

-*discuss any uncertainties or*

*confusion with their Head teacher or line manager*

-*understand what behaviours may call into question their suitability to continue to work with children and young people.*

**3.2 ‘Unsuitability’**

The guidance contained in this document is an attempt to

identify what behaviours are expected of adults who work

with pupils. Adults whose practice deviates from this

guidance and/or their professional or employment-related

code of conduct may bring into question their suitability to

work with pupils or children and young people in any

capacity.

**3.3 Duty of Care**

*This means that adults 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*

Teachers and other education staff are accountable for the

way in which they exercise authority; manage risk; use

resources; and protect pupils from discrimination and

avoidable harm. All staff, whether paid or voluntary, have a duty

to keep young people safe and to protect them from sexual, physical

and emotional harm. Children 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 the

safety and well-being of pupils. Failure to do so may be

regarded as professional neglect.

***ensure that all staff are aware of expectations, policies and***

***procedures***

*This means that employers should:*

-*foster culture of openness and*

*support*

-*ensure that systems are in place for concerns to be raised*

-*ensure that there is in place effective recording systems which confirm discussions, decisions and the outcomes of any actions taken.*

-*ensure that staff are not placed in situations which render them*

*particularly vulnerable*

The duty of care is, in part, exercised through the

development of respectful, caring and professional

relationships between staff and pupils and behaviour by staff

that demonstrates integrity, maturity and good judgement.

The public, local authorities, employers and parents have

legitimate expectations about the nature of professional

involvement in the lives of pupils. 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.

Employers have a duty of care towards their employees

under the Health and Safety at Work Act 19745 which

requires them to provide a safe working environment for staff

and guidance about safe working practices. Thus, employers

have a duty of care for the well-being of employees and to

ensure that employees are treated fairly and reasonably in all

circumstances. Staff who are subject to an allegation should

***ensure that all staff are aware of expectations, policies and***

***procedures***

*This means that Governing Bodies should:*

-*ensure that appropriate safeguarding and child protection policies and procedures are adopted, implemented and monitored in school and that all staff have read Part One of ‘Keeping Children safe in Education’*

*-ensure that a member of the governing body, usually the chair, is nominated to liaise with the local authority in the event of allegations of abuse made against the Headteacher, the principal of a college or proprietor or member of governing body of an independent school*

-*ensure that, where services or*

*activities are provided by another*

*body, the body concerned has*

*appropriate safeguarding policies and procedures.*

*-ensure that there are procedures in place to handle allegations against members of staff and volunteers. Such allegations must be referred to the Local Area Delegated Officer (LADO). There must also be procedures in place to make a referral to the Disclosure and Barring Service (DBS) if a person in regulated activity has been dismissed or removed due to safeguarding concerns, or would have had they not resigned.* ***This is a legal duty and failure to refer when the criteria are met is a criminal offence.***

‘Keeping Children Safe in Education’ 2019

therefore be supported and the principles of natural justice

applied

The Health and Safety Act 1974 also imposes a duty on

employees6 to take care of themselves and anyone else

who may be affected by their actions or failings. An

employer’s duty of care and the staff duty of care towards

children should not conflict. This ‘duty’ can be demonstrated

through the use and implementation of these guidelines.

The Governing Body of a school controls the use of the

school premises both during and outside school hours,

except where a trust deed allows a person other than the

governing body to control the use of premises, or a transfer

of control agreement has been made.

Where the Governing Body provides services or activities

directly under the supervision or management of school staff

the school’s arrangements for safeguarding must be

followed.

5 Health and Safety at Work Act 1974 Part I, Section. 2 (1) and (2)

6 Health and Safety at Work Act 1974 Part I, Section.7

**3.4 Confidentiality**

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

Staff may have access to special category personal data about pupils and their families which must be kept confidential at all times and only shared when legally permissible to do so and in the interest of the child. Records should only be shared with those who have a legitimate professional need to see them (see DPA 2018 for further guidance).

Members of staff may have access to confidential information

*This means that adults:*

-*be clear about when information can be shared and in what*

*circumstances it is appropriate to do so*

-*are expected to treat information they receive about pupils in a discreet and confidential manner*

-*should seek advice from a senior*

*member of staff if they are in any*

*doubt about sharing information they hold or which has been requested of them*

-*need to know to whom any concerns or allegations should be reported*

about pupils in order to undertake their every day

responsibilities. In some circumstances staff may be given

highly sensitive or private information. They 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 schools/services).

Information must never be used to intimidate, humiliate, or

embarrass the pupil.

Confidential information about a child or young person should

never be used casually in conversation or shared with any

person other than on a need-to-know basis. In

circumstances where the child’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, for

example when abuse is alleged or suspected. In such cases,

individuals have a duty 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 seek

guidance from a senior member of staff. Any media or legal

enquiries should be passed to senior management.

The storing and processing of personal information about

pupils is governed by the Data Protection Act 1998.

*This means that where no specific*

*guidance exists adults should:*

-*discuss the circumstances that*

*informed their action, or their*

*proposed action, with the*

*Headteacher, senior member of the team and the parent/carer.*

-*report any actions which could be mis-interpreted to their senior manager*

-*always discuss any misunderstanding, accidents or threats with a senior manager*

-*record any areas of disagreement about course of action taken and if necessary refer to a higher*

*authority*

-*ensure they have copies of records which confirm decisions, discussions*

*and reasons why actions were taken.*

Employers should provide clear advice to staff about their

responsibilities under this legislation.

‘Working Together to Safeguard Children’ March 2013 contains

further guidance on sharing information to protect children

(ref ‘Information Sharing’ page 15)

**3.5 Making a Professional Judgement**

This guidance cannot provide a complete checklist of what is,

or is not appropriate behaviour for adults in all

circumstances. There may be occasions and circumstances

in which adults have to make decisions or take action in the

best interests of the child or young person 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 children in their charge. Such judgements should always

be recorded and shared a member of the senior

management team and with the parent or carer. In

undertaking these actions individuals will be seen to be

acting reasonably.

Adults should always consider whether their actions are

warranted, proportionate and safe and applied equitably.

**3.6 Power and Positions of Trust**

*This means that adults should not:*

-*use their position to gain access to information for their own or others’ advantage*

-*use their position to intimidate, bully, humiliate, threaten, coerce or undermine pupils*

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

As a result of their knowledge, position and/or the authority

invested in their role, all adults working in education settings

are in positions of trust in relation to the young people in their

care. Broadly speaking, a relationship of trust can be

described as one in which one party is in a position of power

or influence over the other by virtue of their work or the

nature of their activity. It is vital for all those in positions of

trust to understand the power this can give them over those

they care for and the responsibility they must exercise as a

consequence of this relationship.

A relationship between an adult and a child or young person

is not a relationship between equals. There is potential for

exploitation and harm of vulnerable young people. Adults

therefore have a responsibility to ensure that an unequal

balance of power is not used for personal advantage or

gratification.

Adults should always maintain appropriate professional

boundaries and avoid behaviour which might be

misinterpreted by others. They should report and record any

incident with this potential.

Where a person aged 18 or over is in a specified position of

Trust8 with a child under 18, it is an offence for that person to

engage in sexual activity with or in the presence of that child,

or to cause or incite that child to engage in or watch sexual

activity.

8 Sexual Offences Act 2003.Sect 16-19 re-enacts and amends offence of abuse of position of trust

*This means that adults should not:*

-*behave in a manner which would lead any reasonable person to question their suitability to work with*

*children or act as a role model.*

-*make, or encourage others to make, unprofessional personal comments*

*which scapegoat, demean or*

*humiliate, or which might be*

*interpreted as such.*

**3.7 Propriety and Behaviour**

All adults working with pupils have a responsibility to

maintain public confidence in their ability to safeguard the

welfare and best interests of pupils. It is therefore expected

that they will adopt high standards of personal conduct in

order to maintain the confidence and respect of their

colleagues, pupils or students public in general and all those

with whom they work.

There may be times, for example, when an adult’s behaviour

*This means that adults should:*

-*be aware that behaviour in their personal lives may impact upon their*

*work with pupils*

-*follow any codes of conduct deemed appropriate by their school/service*

or actions in their personal life come under scrutiny from local

communities, the media or public authorities. This could be

because their behaviour is considered to compromise their

position in their workplace or indicate an unsuitability to work

with pupils. Misuse of social media, drugs, alcohol or acts of violence

would be examples of such behaviour.

Adults in contact with pupils should therefore understand and

be aware, that safe practice also involves using judgement

and integrity about behaviours in places other than the work

setting.

The Childcare (Disqualification) Regulations 2018 set out grounds for disqualification under the Childcare Act 2006 where the person meets certain criteria set out in the Regulations. For example, an individual will be disqualified where they have committed a relevant offence against a 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. The Disqualification under the Childcare Act 2006 (Regulations 2018) state that schools should make clear their expectation that staff should disclose any relationship or association (in the real world or online) that may impact on the school’s ability to safeguard pupils. This applies to all staff in all schools, not just those in early or later years childcare.

**3.8 Dress and Appearance**

A person's dress and appearance are matters of personal

*This means that adults should wear*

*clothing which:*

*-* *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 contentious slogans*

-*is not considered to be discriminatory and is culturally sensitive*

choice and self-expression. However adults should dress in

ways which are appropriate to their role and this may need to

be different to how they dress when not at work.

Adults who work with pupils should ensure they are dressed

appropriately for the tasks and the work they undertake.

Those who dress in a manner which could be considered as

inappropriate could render themselves vulnerable to criticism

or allegations.

*This means that adults should:*

-*be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations*

-*challenge any request for their accommodation to be used as an additional resource for the school or*

*school/service*

-*be mindful of the need to maintain professional boundaries*

-*refrain from asking pupils/students*

*to undertake personal jobs or*

*errands*

**3.9 The Use of Personal Living Space**

No child or young person should be in or invited into, the

home9 of an adult who works with them, unless the reason

for this has been firmly established and agreed with parents/

carers and a senior manager or Head teacher.

It is not appropriate for any school/service to expect or

request that private living space be used for work with pupils.

Neither is it appropriate for school authorities to expect or

request that private living space be used to see pupils for e.g.

discussion of reports, academic reviews, tutorials, pastoral

care or counselling. If these activities are required,

management should ensure that appropriate accommodation

is found elsewhere in the school.

Under no circumstances should pupils assist with chores or

tasks in the home of an adult who works with them. Neither

should they be asked to do so by friends or family of that

adult.

9 This includes any home or domestic settings used or frequented by the adult

*This means that adults should:*

 -*be aware of their school//service’s*

*policy on the giving and receiving of gifts*

-*ensure that gifts received or given in situations which may be misconstrued 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*

-*ensure that all selection processes which concern pupils are fair and that*

*wherever practicable these are undertaken and agreed by more than one member of staff*

**3.10 Gifts, Rewards and Favouritism**

All adults should be aware of their school or school/service

guidance on rewards including arrangements for the

declaration of gifts received and given. The giving of gifts or rewards

to pupils should be part of an agreed policy for supporting positive

behaviour or recognising particular achievements. In some situations,

the giving of gifts as rewards may be accepted practice for a

group of children, whilst in other situations the giving of a gift

to an individual child or young person will be part of an

agreed plan, recorded and discussed with senior manager

and the parent or carer.

It is acknowledged that there may specific occasions when

adult working with a child or young person may consider it

appropriate to give a child or young person a small personal

gift if insignificant value. This is only acceptable practice

where, in line with the agreed policy, the adult has first

discussed the giving of the gift and the reason for it, with the

Head teacher, senior manager and the parent or carer and

the action is recorded. Any gifts should be given openly and

not be based on favouritism. Adults need to be aware

however, that the giving of gifts can be misinterpreted by

others as a gesture either to bribe or ‘groom’10 a young

person. Staff should exercise care when selecting pupils for school

teams, productions, trips and/or specific work tasks in order

to avoid perceptions of favouritism or injustice. Similar care

should be exercised when pupils are excluded from an

activity. Methods of selection and exclusion should always be

subject to clear, agreed criteria. Care should also be taken to ensure

 that adults 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 children, young people or parents

wish to pass small tokens of appreciation to adults e.g. on

special occasions or as a thank-you and this is acceptable.

However, it is unacceptable to receive gifts on a regular basis

or of any significant value.

10‘grooming’ – the act of gaining the trust of a child so that sexual abuse can take place.

**3.11 Infatuations**

*This means that adults should:*

-*report and record any incidents or indications (verbal, written or physical)*

*that suggest a child or young person may have developed an infatuation*

*with a member of staff*

-*always acknowledge and maintain professional boundaries*

Occasionally, a child or young person may develop an

infatuation with an adult who works with them. These adults

should deal with these situations sensitively and

appropriately to maintain the dignity and safety of all

concerned. They should remain aware, however, that such

infatuations carry a high risk of words or actions being

misinterpreted and should therefore make every effort to

ensure that their own behaviour is above reproach.

An adult, who becomes aware that a child or young person is

developing an infatuation, should discuss this at the earliest

opportunity with a Head teacher, senior manager and

parent/carer so appropriate action can be taken to avoid any

hurt, distress or embarrassment.

**3.12 Communication with Pupils *(including the Use of***

*This means that schools/services should:*

*-have in place an Acceptable Use policy (AUP)*

-*continually self-review e.safety policies in the light of new and emerging technologies*

-*have a communication policy which specifies acceptable and*

*permissible modes of communication*

*-have a member of staff trained up to a higher level for e-safety e.g. CEOP who cascades regular e-safety updates to all staff to ensure protecting pupils.*

***Technology)***

In order to make best use of the many educational and social

benefits of new technologies, pupils need opportunities to

use and explore the digital world, using multiple devices from

multiple locations. It is now recognised that e.safety risks

are posed more by behaviours and values than the

technology itself. Adults working in this area must therefore

ensure that they establish safe and responsible online

behaviours. This means working to local and national

guidelines on acceptable user policies. These detail the

way in which new and emerging technologies may and may

not be used and identify the sanctions for misuse. Learning

Platforms are now widely established and clear agreement

by all parties about acceptable and responsible use is

essential.

Communication between pupils and adults, by whatever

method, should take place within clear and explicit

professional boundaries. This includes the wider use of

technology such as mobile phones text messaging, e-mails,

*This means that adults should:*

-*ensure that personal social networking sites are set at private and pupils are never listed as approved contacts*

-*never use or access social networking sites of pupils.*

-*not give their personal contact details to pupils, including their mobile*

*telephone number*

-*only use equipment e.g. mobile phones, provided by school/service to communicate with children ,making sure that parents have given permission for this form of communication to be used*

-*only use equipment e.g. cameras or mobile phones to photograph pupils*

*- only make contact with children for professional reasons and in accordance with any school/service policy*

-*recognise that text messaging should*

*only be used as part of an agreed*

*protocol and when other forms of*

*communication are not possible*

-*not use internet or web-based*

*communication channels to send*

*personal messages to a child/young*

*person*

digital cameras, videos, web-cams, websites and blogs.

Adults should not share any personal information with a child

or young person. They should not request, or respond to, any

personal information from the child/young person, other than

that which might be appropriate as part of their professional

role. Adults should ensure that all communications are

transparent and open to scrutiny.

Adults should also be circumspect in their communications

with children so as to avoid any possible misinterpretation of

their motives or any behaviour which could be construed as

grooming. They should not give their personal contact details

to pupils including e-mail, home or mobile telephone

numbers, unless the need to do so is agreed with senior

management and parents/carers. E-mail or text

communications between an adult and a child young person

outside agreed protocols may lead to disciplinary and/or

criminal investigations. This also includes communications

through internet based web sites. Internal e-mail systems should

only be used in accordance with the school/service’s policy.

Adults in school should never discuss information or share data relating to children, parents or carers in staff social media groups.

*This means that adults should:*

-*have no secret social contact with pupils or their parents*

-*consider the appropriateness of the social contact according to their role and nature of their work*

-*always approve any planned social contact with children or parents with senior colleagues,*

-*advise senior management of any social contact they have with a child or a parent with who whom they work, which may give rise to concern*

-*report and record any situation, which may place a child at risk or which may compromise the school/service or their*

*own professional standing*

-*be aware that the sending of personal communications such as birthday or faith cards should always be recorded and/or discussed with line manager.*

-*understand that some*

*communications may be called into question and need to be justified.*

**3.13 Social Contact**

Adults should not establish or seek to establish social contact

with pupils for the purpose of securing a friendship or to

pursue or strengthen a relationship. 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. There will be occasions

when there are social contacts between pupils and staff,

where for example the parent and teacher are part of the

same social circle. These contacts however, will be easily

recognised and openly acknowledged.

Nevertheless, there must be awareness on the part of those

working with children and young people that some social

contacts, especially where these are not common knowledge

can be misconstrued as being part a grooming process. This

can also apply to social contacts made through outside

interests or through the staff member’s own family.

It is recognised that staff can support a parent who may be in

particular difficulty. Care needs to be exercised in those

situations where the parent comes to depend upon the staff

member for support outside their professional role. This

situation should be discussed with senior management and

where necessary referrals made to the appropriate support

agency.

**3.14 Sexual Contact**

All adults should clearly understand the need to maintain

appropriate boundaries in their contacts with pupils. Intimate

*This means that adults should not:*

-*have sexual relationships with pupils*

-*have any form of communication with a child or young person which could*

*be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, electronic mail, phone*

*calls, texts, physical contact*

-*make sexual remarks to, or about, a child/young person*

-*discuss their own sexual relationships with or in the presence of pupils*

or sexual relationships between children/young people and

the adults who work with them will be regarded as a grave

breach of trust. Allowing or encouraging a relationship to

develop in a way which might lead to a sexual relationship is

also unacceptable.

Any sexual activity between an adult and the child or young

person with whom they work may be regarded as a criminal

offence and will always be a matter for disciplinary action. All

children and young people are protected by specific legal

provisions in this respect regardless of whether the child or

young person consents or not. The sexual activity referred to

does not just involve physical contact including penetrative

and non-penetrative acts. It may also include non-contact

activities, such as causing children to engage in or watch

sexual activity or the production of pornographic material.

'Working Together to Safeguard Children’ (2019) defines sexual

*This means that adults should:*

-*ensure that their relationships with pupils clearly take place within the*

*boundaries of a respectful*

*professional relationship*

-*take care that their language or conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when members of*

*staff are dealing with adolescent boys and girls.*

abuse as ‘ forcing or enticing a child or young person to take

part in sexual activities, not necessarily involving a high level of

violence, whether or not the child is aware of what is happening.

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

images, watching sexual activities, encouraging children to

behave in sexually inappropriate ways, or grooming a child in

preparation for abuse (including via the internet). 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 or another adult in the setting, and

manipulate that relationship so sexual abuse can take place.

Adults should be aware that consistently conferring

inappropriate special attention and favour upon a child

or another member of staff might be construed as being part

of a 'grooming' process and as such will give rise to concerns

about their behaviour.

It is a crime for any adult in a position of trust to engage in sexual activity

With a person under the age of 18.

*This means that adults should:-*

*-* *be aware that even well intentioned physical contact may be misconstrued*

*by the child, an observer or by anyone to whom this action is described*

-*never touch a child in a way which may be considered indecent*

-*always be prepared to report and explain actions and accept that all physical contact be open to scrutiny*

-*not indulge in horseplay*

-*always encourage children, where possible, to undertake self-care tasks*

*independently*

-*work within Health and Safety regulations*

-*be aware of cultural or religious views about touching and always be*

*sensitive to issues of gender*

-*understand that physical contact in*

*some circumstances can be easily*

*misinterpreted*

**3.15 Physical Contact**

There are occasions when it is entirely appropriate and

proper for staff to have physical contact with pupils, 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 will in

some circumstances be inappropriate. When physical contact

is made with pupils this should be in response to their needs

at the time, of limited duration and appropriate to their age,

stage of development, gender, ethnicity and background.

Appropriate physical contact in schools will occur most often

with younger pupils.

It is not possible to be specific about the appropriateness of

each physical contact, since an action that is appropriate with

one child in one set of circumstances may be inappropriate in

another, or with a different child. Staff should therefore, use

their professional judgement at all times.

Physical contact should never be secretive, or for the

*This means that schools/services 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*

-*make adults aware of relevant professional or school/service guidance in respect of physical*

*contact with children and meeting medical needs of pupils where appropriate*

-*be explicit about what physical contact is appropriate for adults*

*working in their setting*

-*provide staff, on a "need to know" basis, with relevant information about*

*vulnerable pupils in their care*

-*make staff aware of most recent government guidance in respect of*

*physical contact with pupils and meeting medical needs of children and young people in school*

*Physical contact with pupils – see ‘Use of reasonable force’ DfE July 2013 page 8 re ‘other physical contact with children’.*

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

recorded as soon as possible in the school's incident book

and, if appropriate, a copy placed on the child’s file.

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 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 child for the minimum time necessary.

The general culture of 'limited touch' should be adapted,

where appropriate, to the individual requirements of each

child. Children with special needs 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 child's needs, consistently applied and open to

scrutiny.

It is recognised that some children may seek inappropriate

physical contact. Adults should be particularly aware of this

especially when it is known that a child has suffered previous

abuse or neglect. In the child's view, physical contact might

be associated with such experiences and lead to some

actions being misinterpreted. In all circumstances where a

child or young person initiates inappropriate physical contact,

it is the responsibility of the adult to sensitively deter the child

and help them understand the importance of personal

boundaries. Such circumstances must always be reported

and discussed with a senior manager and the parent/carer.

*This means that adults should:*

-*treat children with dignity and respect and avoid contact with intimate parts of the body*

-*always explain to a child the reason why contact is necessary and what form that contact will take*

-*seek consent of parents where a child or young person is unable to do so 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 or religious issues that may need to be considered prior to initiating physical contact*

**3.16 Other Activities that require Physical Contact**

Some adults who work in certain settings, for example

sports, drama or outdoor activities or teach specific

subjects such as PE or music, will have to initiate some

physical contact with children, for example to demonstrate

technique in the use of a particular piece of equipment,

adjust posture, or perhaps to support a child so they can

perform an activity safely or prevent injury. Such activities

should be carried out in accordance with existing codes of

conduct, regulations and best practice.

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

to the parent/carer and once agreed, should be undertaken

with the permission of the child/young person. Contact

should be relevant to their age or understanding and adults

should remain sensitive to any discomfort expressed

verbally or non-verbally by the child.

Guidance and protocols around safe and appropriate

physical contact are provided by national school/service, for

example sports governing bodies or major arts

*This means that schools/services should:*

-*have up to date guidance and protocols on appropriate physical*

*contact in place that promote safe practice and include clear*

*expectations of behaviour and conduct.*

-*ensure that staff are made aware of this guidance and that safe practice is continually promoted through*

*supervision and training.*

school/service, or the school employing school/service and

should be understood and applied consistently. Any

incidents of physical contact that cause concern or fall

outside of these protocols and guidance should be reported

to the senior manager and parent or carer.

It is good practice if all parties clearly understand at the

outset, what physical contact is necessary and appropriate in

undertaking specific activities. Keeping parents/carers, pupils

informed of the extent and nature of any physical contact

may also prevent allegations of misconduct or abuse arising.

‘Screening, searching and confiscation’ DfE February 2014 gives

clear advice to headteachers, school staff and governing bodies.

**3.17 Behaviour Management**

*This means that adults should:*

-*not use force as a form of punishment*

-*try to defuse situations before they escalate*

-*inform parents of any behaviour management techniques used*

-*adhere to the school/service’s*

*behaviour management policy and staff code of conduct.*

-*be mindful of factors which may impact upon a child or young person’s*

*behaviour e.g. bullying, abuse and where necessary take appropriate*

*action*

All pupils have a right to be treated with respect and dignity

even in those circumstances where they display difficult or

challenging behaviour.

Adults should not use any form of degrading treatment to

punish a child. The use of sarcasm, demeaning or insensitive

comments towards pupils is not acceptable in any situation.

Any sanctions or rewards used should be part of a behaviour

management policy which is widely publicised and regularly

reviewed.

The use of corporal punishment is not acceptable and is

unlawful in schools. Whilst there may a legal defence for

parents who physically chastise their children, this does not

extend, in any circumstances, to those adults who work with

or on behalf of pupils.

Where children display difficult or challenging behaviour,

adults must follow the behaviour policy outlined by their

school or service and use strategies appropriate to the

circumstance and situation. The use of physical intervention

can only be justified in exceptional circumstances and must

be used as a last resort when other behaviour management

strategies have failed.

*This means that schools/services should:*

-*have in place appropriate behaviour management policies*

*-have in place a staff code of conduct*

-*where appropriate, develop positive*

*handling plans in respect of an individual child or young person.*

Where a child has specific needs in respect of particularly

challenging behaviour, a positive handling plan may be

drawn up and agreed by all parties. Only in these

circumstances should an adult deviate from the behaviour

management policy of the school/service.

‘The use of reasonable force’ DfE July 2013 gives

clear advice to headteachers, school staff and governing bodies.

*This means that adults should:*

-*adhere to the school/service’s physical intervention policy*

-*always seek to defuse situations*

-*always use minimum force for the shortest period necessary*

-*record and report as soon as possible after the event any incident where physical intervention has been used.*

**3.18 Use of Control and Physical Intervention**

There are circumstances in which adults working with

children displaying extreme behaviours can legitimately

intervene by using either non-restrictive or restrictive physical

interventions. This is a complex area and adults and

school/service must have regard to legislation11 and

government guidance1213 in the development and

implementation of their own policies and practice.

The use of physical intervention should, wherever possible,

be avoided. It should only be used to manage a child or

young person’s behaviour if it is necessary to prevent

personal injury to the child, other children or an adult, to

*This means that schools/services should:-*

*-* *have a policy on the use of physical intervention in place that complies*

*with government guidance and legislation and describes the context*

*in which it is appropriate to use physical intervention*

-*ensure that an effective recording system is in place which allows for*

*incidents to be tracked and*

*monitored*

-*ensure adults are familiar with the above*

-*ensure that staff are appropriately trained*

prevent serious damage to property or in what would

reasonably be regarded as exceptional circumstances.

When physical intervention is used it should be undertaken

in such a way that maintains the safety and dignity of all

concerned.

The scale and nature of any physical intervention must be

proportionate to both the behaviour of the individual to be

controlled and the nature of the harm they may cause. The

minimum necessary force should be used and the techniques

deployed in line with recommended policy and practice.

Under no circumstances should physical force or intervention

be used as a form of punishment. The duty of care which

applies to all adults and school/service working with pupils

requires that reasonable measures are taken to prevent

children being harmed. The use of unwarranted physical

force is likely to constitute a criminal offence.

In settings where restrictive physical interventions may need

to be employed regularly, i.e. where adults are working with

children with extreme behaviours associated with learning

disability or autistic spectrum disorders, the employer should

have a policy on the use of such intervention, as part of a

wider behaviour management policy. Individual care plans,

drawn up in consultation with parents/carers and where

appropriate, the child, should set out the strategies and

techniques to be used and those which should be avoided.

Risk assessments should be carried out where it is

foreseeable that restrictive physical intervention may be

required.

In all cases where physical intervention is employed the

incident and subsequent actions should be documented and

reported. This should include written and signed accounts of

all those involved, including the child or young person. The

parents/carers should be informed the same day.

11 Education and Inspections Act 2006 (93)

12 Use of reasonable force – advice for Head teachers, staff and governing bodies (non-statutory advice from DfE updated July 13)

13 Screening, searching and confiscation – advice for Head teachers, staff and governing bodies

*This means the adult should:*

-*consider the way in which they offer comfort and reassurance to a distressed child and do it in an age appropriate way*

*-* *be circumspect in offering*

*reassurance in one to one*

*situations, but always record such actions in these circumstances*

-*follow professional guidance or code of practice*

-*never touch a child in a way which may be considered indecent*

-*record and report situations which may give rise to concern from either*

*party*

-*not assume that all children seek physical comfort if they are distressed*

(non-statutory advice from DfE updated February 14)

**3.19 Children and Young People in Distress**

There may be occasions when a distressed child needs

comfort and reassurance and this may involve physical

contact. Young children, in particular, may need immediate

physical comfort, for example after a fall, separation from

parent etc. Adults should use their professional judgement to

comfort or reassure a child in an age-appropriate way whilst

maintaining clear professional boundaries.

Where an adult has a particular concern about the need to

provide this type of care and reassurance, or is concerned

that an action may be misinterpreted, this should be reported

and discussed with a senior manager and parents/carers.

**3.20 Intimate Care**

Some job responsibilities necessitate intimate physical

contact with children on a regular basis, for example

assisting young children with toileting, providing intimate care

for children with disabilities or in the provision of medical

care. The nature, circumstances and context of such contact

should comply with professional codes of practice or

*This means that adults should:*

-*adhere to the school/service’s intimate*

*care guidelines or code of practice*

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

-*explain to the child what is happening*

-*consult with senior managers and parents/carers 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 parents*

-*ensure that any changes to the agreed care plan are discussed, agreed and recorded.*

guidance and/or be part of a formally agreed plan, which is

regularly reviewed. The additional vulnerabilities that may

arise from a physical or learning disability should be taken

into account and be recorded as part of an agreed care plan.

The emotional responses of any child to intimate care should

be carefully and sensitively observed, and where necessary,

any concerns passed to Headteacher or senior managers

and parents/carers.

All children have a right to safety, privacy and dignity when

contact of a physical or intimate nature is required and

depending on their abilities, age and maturity should be

encouraged to act as independently as possible.

The views of the child should be actively sought, wherever

possible, when drawing up and reviewing formal

arrangements. As with all individual arrangements for

intimate care needs, agreements between the child,

parents/carers and the school/service must be negotiated

and recorded

**3.21 Personal Care**

*This means that adults should:*

-*avoid any physical contact when children are in a state of undress*

-*avoid any visually intrusive behaviour*

-*where there are changing rooms announce their intention of entering*

Young people are entitled to respect and privacy at all times

and especially when in a state of undress, changing clothes,

bathing or undertaking any form of personal care. There are

occasions where there will be a need for an appropriate level

of supervision in order to safeguard young people and/or

satisfy health and safety considerations. This supervision

should be appropriate to the needs and age of the young

people concerned and sensitive to the potential for

embarrassment.

Adults need to be vigilant about their own behaviour, ensure

they follow agreed guidelines and be mindful of the needs of

the pupils with whom they work.

*This means that adults should not:*

-*change in the same place as children*

-*shower or bathe with children*

-*assist with any personal care task which a child or young person can undertake by themselves*

**3.22 First Aid and Administration of Medication**

*This means that schools/services should:*

*-* *ensure staff understand the extent and limitations of their role in applying basic care and hygiene tasks for minor abrasions and*

*understand where an injury requires more experienced intervention*

-*ensure there are trained and named individuals to undertake first aid responsibilities*

-*ensure training is regularly monitored and updated*

-*always ensure that arrangements are*

*in place to obtain parental consent for the administration of first aid or*

*medication*

Health and safety legislation places duties on all employers

to ensure appropriate health and safety polices and

equipment are in place and an appropriate person is

appointed to take charge of first-aid arrangements. Any

employee may volunteer to undertake this task but it is not a

contractual requirement and appropriate training should be

given before an individual takes on a role which may require

administering first aid or medication.

Some pupils may need medication during school hours. In

circumstances where children need medication regularly a

health care plan should be drawn up to ensure the safety and

protection of pupils and staff. With the permission of parents,

children should be encouraged to self-administer medication

or treatment including, for example any ointment, sun cream

or use of inhalers.

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 appropriate senior colleague at

the earliest opportunity. When administering first aid,

wherever possible, staff should ensure that another adult is

present, or aware of the action being taken. Parents should

always be informed when first aid has been administered.

*This means that adults should:*

-*adhere to the school/service’s policy*

*for administering first aid or*

*medication*

-*comply with the necessary reporting requirements*

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

-*explain to the child what is*

*happening.*

-*always act and be seen to act in the child’s best interests*

-*report and record any administration of first aid or medication*

-*have regard to any health plan which is in place*

-*always ensure that an appropriate health/risk assessment is undertaken*

*prior to undertaking certain activities*

There should be due regard to current guidance14

14 DfE ‘Managing medicines in schools’ August 2013 (updated Aug 17)

**3.23 One to One Situations**

*This means that adults should:*

-*ensure that when lone working is an integral part of their role, full and*

*appropriate risk assessments have been conducted and agreed.*

-*avoid meetings with a child or young person in remote, secluded areas,*

-*always inform other colleagues and/or parents/carers about the contact(s) beforehand, assessing the need to*

*have them present or close by*

-*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 child becomes distressed or angry to a*

*senior colleague*

-*carefully consider the needs and circumstances of the child/children*

*when in one to one situations*

Every organisation working with or on behalf of children and

young people should consider one to one situations when

drawing up their policies. This includes schools and other

education settings.

It is not realistic to state that one to one situations should

never take place. It is however, appropriate to state that

where there is a need, agreed with a senior manager and/or

parents/carers, for an adult to be alone with a child or young

person, certain procedures and explicit safeguards must be

in place. Adults should be offered training and guidance in

the use of any areas of the workplace which may place

themselves or children in vulnerable situations.

One to one situations have the potential to make child/young

person more vulnerable to harm by those who seek to exploit

their position of trust. Adults working in one to one settings

with pupils may also be more vulnerable to unjust or

unfounded allegations being made against them. Both

possibilities should be recognised so that when one to one

situations are unavoidable, reasonable and sensible

precautions are taken. Every attempt should be made to

ensure the safety and security of pupils and the adults who

work with them.

There are occasions where managers will need to undertake

a risk assessment in relation to the specific nature and

implications of one to one work. These assessments should

take into account the individual needs of the child/young

person and the individual worker and any arrangements

should be reviewed on a regular basis.

Pre-arranged meetings with pupils away from the school

premises should not be permitted unless approval is obtained

from their parent and the Head teacher or other senior

colleague with delegated authority.

**3.24 Home Visits**

*These means that adults should:*

-*agree the purpose for any home visit with senior management, unless this*

*is an acknowledged and integral part of their role e.g. home tutors*

-*adhere to agreed risk management strategies*

-*always make detailed records including times of arrival and departure and work undertaken*

-*ensure any behaviour or situation which gives rise to concern is discussed with their manager and, where appropriate action is taken*

-*never make a home visit outside agreed working arrangements*

All work with pupils and parents should, wherever possible,

be undertaken in the school or other recognised workplace.

There are however occasions, in response to urgent or

specific situations where it is necessary to make one-off or

regular home visits.

In these circumstances it is essential that appropriate policies

and related risk assessments are in place to safeguard pupils

and the adults who work with them.

A risk assessment should include an evaluation of any known

factors regarding the child/young person, parents and others

living in the household. Risk factors such as hostility, child

protection concerns, complaints or grievances can make

adults more vulnerable to an allegation. Specific

consideration should be given to visits outside of ‘office

hours’ or in remote or secluded locations. Following an

assessment, appropriate risk management measures should

be in place before visits are agreed. Where little or no

information is available, visits should not be made alone.

*This means that employers should:*

-*ensure that they have home visit and lone-working policies of which all adults are made aware. These should include arrangements for risk assessment and management*

*-ensure that all visits are justified and recorded*

-*ensure that adults are not exposed to unacceptable risk*

-*ensure that adults have access to a mobile telephone and an emergency contact person*

Where a programme of work is to be undertaken in the home

an appropriate works space should be provided and a written

work plan/contract should be agreed with the pupil and

parent. This should include: clear objectives; content; timing;

and duration of sessions; ground-rules; child protection and

confidentiality statements. The plan should take into account

the preferences of pupil and parent. There should also be an

agreement that the parent or other suitable adult will remain

in the home throughout the session.

Where the situation is such that changes in agreed work

arrangements are required, a quick assessment will be

necessary to determine if the session can continue. The

Head teacher or line manager should then be informed as

soon as is practically possible. Emergency situations should

be reported to the police or social care and to the

Head teacher/parent as appropriate.

*This means that adults should:*

-*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*

-*be aware that the safety and welfare of the child is their responsibility until they are safely passed over to a parent/carer*

-*record details of the journey in accordance with agreed procedures*

-*ensure that their behaviour is appropriate at all times*

-*ensure that there are proper arrangements in place to 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 if questioned*

**3.25 Transporting Pupils**

In certain situations e.g. out of school activities, staff or

volunteers may agree to transport children. A designated

member of staff should be appointed to plan and provide

oversight of all transporting arrangements and respond to

any difficulties that may arise.

Wherever possible and practicable it is advisable that

transport is undertaken other than in private vehicles, with at

least one adult additional to the driver acting as an escort.

There will be occasions when adults are expected or asked

to transport children as part of their duties. Adults, who are

expected to use their own vehicles for transporting children

should ensure that the vehicle is roadworthy, appropriately

insured and that the maximum capacity is not exceeded.

It is a legal requirement that all passengers should wear seat

belts and it is the responsibility of the staff member to ensure

that this requirement is met. Adults should also be aware of

current legislation and adhere to the use of car seats for

younger children. Where adults transport children in a vehicle

which requires a specialist license/insurance e.g. PCV or

LGV15- staff should ensure that they have an appropriate

licence and insurance to drive such a vehicle.

It is inappropriate for adults to offer lifts to a child or young

person outside their normal working duties, unless this has

been brought to the attention of the line manager and has

been agreed with the parents/carers.

There may be occasions where the child or young person

requires transport in an emergency situation or where not to

give a lift may place a child at risk. Such circumstances must

always be recorded and reported to a senior manager and

parents/carers. An additional adult should always accompany.

15 For further information see www.dvla.gov.uk

**3.26 Educational Visits and After-School Activities**

*This means that adults should:*

-*always have another adult present in out of workplace activities, unless otherwise agreed with a senior manager*

-*undertake risk assessments in line*

*with their school/service’s policy where applicable*

-*have parental consent to the activity*

-*ensure that their behaviour remains*

*professional at all times*

-*never share beds with a child/pupils.*

-*not share bedrooms unless it involves a dormitory situation and the arrangements have been previously discussed with senior manager, parents and pupils*

Adults should take particular care when supervising pupils on

trips and outings, where the setting is less formal than the

usual workplace. Adults remain in a position of trust and

need to ensure that their behaviour remains professional at

all times and stays within clearly defined professional

boundaries. .

Where out of school activities include overnight stays, careful

consideration needs to be given to sleeping arrangements.

Children, young people, adults and parents should be

informed of these prior to the start of the trip. In all

circumstances, those organising trips and outings must pay

careful attention to ensuring safe staff/child ratios and to the

gender mix of staff especially on overnight stays.

Health and Safety arrangements require members of staff to

keep colleagues/employers aware of their whereabouts,

especially when involved in activities outside the usual

workplace.

Staff responsible for organising educational visits should be familiar with the Department for Education’s advice on Health and Safety available at <https://www.gov.uk/government/publications/healthand-safety-on-educational-visits9>

**3.27 Photography and Videos**

Working with pupils may involve the taking or recording of

images. Any such work should take place with due regard to

the law and the need to safeguard the privacy, dignity, safety

and well-being of pupils. Informed written consent from

parents or carers and agreement, where possible, from the

child or young person, should always be sought before an

image is taken for any purpose.

School equipment should always be used to photograph

*This means that adults should:*

\_ *be clear about the purpose of the*

*activity and about what will happen to the images when the activity is concluded*

-*be able to justify images of children in their possession*

-*avoid making images in one to one situations or which show a single*

*child with no surrounding context. Pupils should never be photographed in a state of undress*

-*ensure the child/young person understands why the images are being taken and has agreed to the activity and that they are appropriately dressed.*

-*only use equipment provided or authorised by the school*

-*report any concerns about any inappropriate or intrusive photographs found*

-*always ensure they have parental permission to take and/or display*

*Photographs*

/ video children.

Careful consideration should be given as to how activities

involving the taking of images are organised and undertaken.

Care should be taken to ensure that all parties understand

the implications of the image being taken especially if it is to

be used for any publicity purposes or published in the media,

or on the Internet. There also needs to be an agreement as

to whether the images will be destroyed or retained for

further use, where these will be stored and who will have

access to them.

Adults need to remain sensitive to any children who appear

uncomfortable, for whatever reason, and should recognise

the potential for such activities to raise concerns or lead to

misunderstandings.

It is not appropriate for adults to take photographs of children

for their personal use.

Adults should NOT take images of a child’s injury, bruising or similar (e.g. following a disclosure of abuse) even if requested by social care; or make audio recordings of a child’s disclosure.

It is recommended that when using a photograph the

following guidance should be followed:

*This means that adults should not:*

-*display or distribute images of children unless they have consent to*

*do so from parents/carers*

-*use images which may cause distress*

-*use mobile telephones or any other similar devices to take images of*

*children*

-*take images ‘in secret’, or taking images in situations that may be construed as being secretive.*

if the photograph is used, avoid naming the pupil

if the pupil is named, avoid using their photograph

schools should establish whether the image will be

retained for further use

images should be securely stored and used only by those

authorised to do so.

**3.28 Access to Inappropriate Images and Internet**

**Usage**

*This means that schools/services should*

-*have clear e-safety policies in place about access to and use of the*

*internet*

-*make guidance available to both adults and pupils about appropriate*

*usage.*

There are no circumstances that will justify adults possessing

indecent images of children. Adults who access and possess

links to such websites will be viewed as a significant and

potential threat to children. Accessing, making and storing

indecent images of children is illegal. This will lead to criminal

investigation and the individual being barred from working

with pupils, if proven.

Adults should not use equipment belonging to their

school/service to access adult pornography; neither should

personal equipment containing these images or links to them

be brought into the workplace. This will raise serious

*This means that adults should:*

-*follow their school/service’s guidance*

*on the use of IT equipment*

-*ensure that children are not exposed to unsuitable material on the internet*

-*ensure that any films or material shown to pupils are age appropriate*

concerns about the suitability of the adult to continue to work

with children.

Adults should ensure that pupils are not exposed to any

inappropriate images or web links. School/service and adults

need to ensure that internet equipment used by children have

the appropriate controls with regards to access. e.g.

personal passwords should be kept confidential.

Where indecent images of children or other unsuitable

material are found, the police and Local Authority Designated

Officer (LADO) should be immediately informed. Adults

should not attempt to investigate the matter or evaluate the

material themselves, as this may lead to evidence being

contaminated which in itself can lead to a criminal

prosecution.

*This means that:*

-*a full health and safety risk assessment should have been undertaken*

-*all members of the household should have the appropriate checks made.*

-*all arrangements should be made in partnership and agreement with the student and parents/carers*

-*arrangements involving one to one supervision should be avoided*

*wherever possible.*

-*staff should have regard to any guidance that exists*

-*as much choice, flexibility and contact with 'the outside world', should be incorporated into any arrangement so far as is consistent with appropriate supervision*

-*whenever possible, independent oversight of arrangements should be made*

-*any situation which gives rise to complaint, disagreement or*

*misunderstanding should be reported*

-*LAs and schools should ensure that all arrangements reflect a duty of care towards pupils and staff*

**3.29 Supervision during examinations**

There are occasions during exam periods when timetables

clash and arrangements need to be made to preserve the

integrity of the examination process. In these circumstances,

staff may be asked to volunteer to supervise students

perhaps in their own homes.

Most Local Authorities, professional bodies and teaching

unions do not endorse this practice. Where there are no staff

volunteers, the examination awarding bodies allow for

alternative supervisory arrangements to be made.

**30. Curriculum**

Many areas of the curriculum can include or raise subject

*This means that adults 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.*

matter which is sexually explicit, or of an otherwise sensitive

nature. Care should be taken to ensure that resource

materials cannot be misinterpreted and clearly relate to the

learning outcomes identified by the lesson plan. This plan

should highlight particular areas of risk and sensitivity and

care should especially be taken in those areas of the

curriculum where usual boundaries or rules are less

rigorously applied, i.e. drama

The curriculum can sometimes include or lead to unplanned

discussion about subject matter of a sexually explicit or

otherwise sensitive nature. Responding to pupils' questions

can require careful judgement and staff may wish to take

*This means that adults should not:*

-*enter into or encourage inappropriate discussions about sexual activity or any behaviour which may offend or harm others*

guidance in these circumstances from a senior member of

staff. Staff should be aware of this when teaching aspects of

SMSC and relationships and sex education (SRE).

Care should also be taken to abide by the governing body's

required policy on sex and relationships education and the

wishes of parents. Parents have the right to withdraw their

children from all or part of any sex education provided (but

not from the biological aspects of human growth and

reproduction necessary under the science curriculum)

*This means that schools/services should:*

-*ensure they have appropriate*

*whistle-blowing policies in place*

-*ensure that they have clear procedures for dealing with allegations against staff which are in*

*line with their Local Safeguarding Children Board’s procedures.*

*This means that adults should:*

-*report any behaviour by colleagues that raises concern regardless of*

*source*

**3.31 Whistle blowing**

Whistle blowing is the mechanism by which adults can voice

their concerns, made in good faith, without fear of

repercussion. Each employer should have a clear and

accessible whistle blowing policy that meets the terms of the

Public Interest Disclosure Act 1998. Adults who use

whistleblowing procedure should be made aware that their

employment rights are protected.

Adults should acknowledge their individual responsibilities to

bring matters of concern to the attention of senior

management and/or relevant external agencies. This is

particularly important where the welfare of children may be at

risk.

**‘Keeping Children Safe in Education’**

ref Part four, pages 30-40DfE September 2019

**3.32 Sharing Concerns and Recording Incidents**

*This means that adults:*

-*should be familiar with their school/service’s system for recording concerns*

-*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 workplace*

*This means that schools/services:*

-*should have an effective, transparent and accessible system for recording and managing concerns raised by*

*any individual in the workplace*

**Individuals should be aware of their school/service’s child**

**protection procedures, including procedures for dealing with**

**allegations against adults. All allegations must be taken**

**seriously and properly investigated in accordance with local**

**procedures and statutory guidance. Adults who are the**

**subject of allegations are advised to contact their**

**professional association.**

**In the event of any allegation being made, to someone other**

**than a manager, information should be clearly and promptly**

**recorded and reported to a senior manager without delay.**

**Adults should always feel able to discuss with their line**

**manager any difficulties or problems that may affect their**

**relationship with pupils so that appropriate support can be**

**provided or action can be taken.**

**It is essential that accurate and comprehensive records are**

**maintained wherever concerns are raised about the conduct**

**or actions of adults working with or on behalf of pupils.**

 **Keeping Children Safe in Education’**

ref Part four, pages 30-40DfE September 2019