



Staff Professional Code of Conduct

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Last reviewed:	New Policy Adopted	
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Staff Professional Code of Conduct - Good Practice Guidelines for all Staff

1 INTRODUCTION

- 1.1** Within this policy, reference to pupils means all young persons under the age of 18.
- 1.2** The Rainbow Multi Academy Trust expects high standards and professional behaviours from staff at all times. All staff should be aware of the Professional Code of Conduct and at all times use them as guidelines.
- 1.3** These guidelines are designed to protect staff from misunderstandings in their professional relationships and from allegations that might arise as a consequence.
- 1.4** Any relationship between staff, pupils, suppliers or any other stakeholder that may potentially bring the Academy into disrepute, must be notified to the respective line manager with immediate effect.
- 1.5** These guidelines should be read in conjunction with associated documents including the Disciplinary and Grievance Procedures. Failure to comply with 1.3 above will lead to an investigative/ disciplinary hearing that may lead to dismissal.

2 CONSENSUAL RELATIONSHIPS

- 2.1** The Academy values good professional relationships between staff and pupils. These are heavily reliant on mutual trust and confidence, and can be jeopardised when a member of staff enters into any relationship with a pupil, which is deemed to be inappropriate. Inappropriate relationships can erode professionalism and result in an abuse of power.
- 2.2** Staff must not enter into any relationship or indulge in any behaviour with a pupil which is likely to bring the Academy into disrepute. In particular, sexual relationships with pupils are expressly prohibited and, if proven to be taking place, will be treated as gross misconduct.
- 2.3** Staff should be aware that entering into a relationship with any current adult student (inclusive of work experience and teacher placement) brings with it a considerable risk and the potential to compromise the best interests of the student, their own professional standing and the good name of the Academy.

The Academy strongly advises staff to avoid entering in to any relationship which is beyond that of the pupil/student /tutor relationship with current pupils/students. Where a relationship with a current adult student is entered in to, or where a staff member has a pre-existing relationship with an adult who becomes a student, the staff member must inform an appropriate manager within the Academy.

The Academy may consider the implications of the relationship, so it can make suitable adjustments to the professional relationship, but will rely on the integrity of both parties to ensure that inappropriate behaviour and conduct do not prejudice the member of staff's ability to properly undertake the job role. In addition, if the student is one that the member of staff teaches or supervises, the member of staff should make arrangements

through the line manager (e.g. Manager or other designated line manager as appropriate) to ensure that the student's work is assessed fairly and objectively and that possible concerns of fellow students are addressed. This is to maintain the principle of impartiality and to safeguard the interests of both parties. A student who is, or has been, involved in a relationship of this nature has the right to ensure alternative arrangements be made for their work to be assessed. Members of staff involved in assessment processes should declare an interest, if one exists, relating to a particular student.

3. RELATIONSHIPS BETWEEN MEMBERS OF STAFF

3.1 Where relationships occur between members of staff, it is in their interests and the Academy's to ensure they deal appropriately with potential conflicts of interest or possible disruption to working arrangements with colleagues or pupils. Broadly, members of staff should not engage in any behaviour which is likely to bring the Academy into disrepute or have a serious adverse effect on peer activities, pupil tuition, pastoral matters, or other aspects of Academy life.

3.2 Some types of activity could be actionable within the Academy's Disciplinary Procedure. It is also conceivable that peers or subordinates could implement the Grievance Procedure against individual members of staff, if they felt disadvantaged by the consequences of inappropriate behaviour.

4. GENERAL ISSUES - GUIDELINE TO INAPPROPRIATE BEHAVIOUR

4.1 The issues listed below must be brought to the attention of any new teacher and all staff should be reminded of these issues. Staff should also take note of the Safeguarding Appendix (1) – Safe Working Practices, found later in this document. This will ensure that all staff involved in the provision of teaching and learning are clear about boundaries and expectations.

4.2 Language - staff should refrain from using inappropriate, foul and abusive language. This type of language used in an aggressive, insulting or offensive manner will lead to disciplinary action.

4.3 Physical contact – be aware that even what is meant as a comforting gesture can be misconstrued.

4.4 Personal telephone numbers – you should not give your personal telephone number to pupils or their parents/carers in a professional capacity.

4.5 Favouritism – it is important to be seen to treat all pupils consistently and with equity. Avoid circumstances where it might appear that you are giving anyone undue attention. This does not mean that you cannot give extra time to a pupil where the situation merits it.

4.6 Tutorials and other one-to-one contact tutorials should always be on Academy premises or, in the case of offsite learners, at a venue that has been pre-agreed and notified to the line manager. Apart from the fact that staff could be laying themselves open to the possibility of false allegations, there are insurance issues to consider. Residential trips

are an obvious exception to this and where they are concerned, you are advised to follow the same guidelines as those shown below for any one-to-one meetings.

- Make sure that a colleague knows when you are carrying out one-to-one sessions.
- Where possible, carry out one-to-one sessions with the door open.
- If this is not appropriate, perhaps because the pupil is distressed, or the matter being discussed is confidential, it is especially important to make sure a colleague knows that the session is taking place and/or to put a notice on the door.
- Where you are having an "emergency" meeting with a pupil and it may not be possible to notify a colleague, put a notice on the door indicating that a meeting is taking place.

5. BOUNDARIES

5.1 Best practice in one to one situations is to aim for empathetic listening without such disclosures as they tend to move the focus from the pupil to the tutor. At times it is appropriate to ask questions, but not of the kind which the pupil might perceive as "prying". Learners have a right to privacy.

5.2 There will be times when a pupil has personal problems which are significant and may prevent the learning experience from being valuable or even attainable by the student. When this type of situation occurs i.e. a serious problem for which the pupil actively seeks help, you should follow the Safeguarding policy and procedures of your school.

6. YOU AND THE LAW/COMPLAINTS

6.1 Members of staff should not knowingly be party to pupils under 18 drinking and/or purchasing alcohol on licensed premises.

6.2 The legal implications of any activity need to be taken into account. As a member of staff, you can be open to a variety of allegations/complaints. To avoid this, bear the advice in these guidelines in mind.

6.3 If you are concerned about any of the issues raised here, or want to discuss a particular situation, please contact your Head or line manager.

7. CONSEQUENCES OF ALLEGATIONS AGAINST STAFF

7.1 The Academy has a duty of care to its member of staff and also has clearly defined responsibilities to its pupils.

7.2 Allegations against staff may result in the use of the Disciplinary Procedure and/or other related procedures as shown above in 1.4.

7.3 The possibility of procedures being specifically activated in response to complaints or allegations will be dependant on the nature of the complaint and the way it is presented. Please reference the Trust's complaints policy and Appendix 2- Managing an Allegation Against a Member of Staff flowchart.

7.4 If an allegation is made by a pupil without reference to a specific Academy procedure or process, then in the first instance it will be investigated by the Head and the immediate

line manager who manages the member of staff. If any of the above are implicated in the complaint alternative investigating officers will be appointed.

8. GIFTS AND CORPORATE HOSPITALITY

- 8.1** Any gift or element of corporate hospitality offered as a consequence of employment with the Academy, that is valued above £30 must not be accepted without prior authorisation of the Head.
- 8.2** The guidelines in 8.1 above and other guidelines within the Staff Professional Code of Conduct should be read in conjunction with the Trust's Gift and Hospitality Policy and the Anti-Bribery policy.

9. PROFESSIONAL AND SOCIAL NETWORKS

- 9.1** It is essential that Academy Staff who use professional and social network services such as Facebook, Twitter, LinkedIn or similar do so in a way that protects staff and pupils. Staff must be aware that interactions with pupils through professional and social networks are subject to the same need to have regard to safeguarding as any other interaction, and, subject to the same need to behave in such a way as not to bring the Academy into disrepute.
- 9.2** Academy staff must not offer or accept Facebook/social network friendship requests on their personal accounts from current pupils, ex-pupils who are under 18 or vulnerable adults. Staff should not, in their professional capacity, accept or offer friendship requests from current pupils, ex-pupils who are under 18, vulnerable adults or their parents/carers.
- 9.3** The guidelines in 9.1 and 9.2 above and other guidelines within the Staff Professional Code of Conduct should be read in conjunction with the Academy Social Media Policy and the Prevent Policy.

Safeguarding Appendix – Safe Working Practices

Please note: That whilst this guidance relates specifically to working with pupils who are young people, the vast majority of what follows should be observed in your dealings with all pupils.

Underpinning Principles

- The welfare of the pupil is paramount.
- You have a responsibility to safeguard and promote the welfare of pupil.
- Failure to do so may be regarded as neglect.
- You should always be seen to work in an open and transparent way.
- You should always apply the same professional standards regardless of culture, disability, gender, language, race, religious belief and / or sexual identity.

Professional Judgement

This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour in all circumstances. There may be occasions or circumstances where you feel that you have to take decisions or actions in the best interest of the pupil which contravene this guidance or where no specific guidance exists. If so:

- You should always consider whether your actions are warranted, proportionate and safe and applied equitably.
- You should always record your judgements and share it with your manager.

Confidentiality

As part of your role you may be given or have access to highly sensitive or private information about a pupil. This information should be kept confidential at all times and only shared when it is in the interests of the young person to do so. Accordingly:

- You must not use this information to intimidate, humiliate or embarrass the pupil.
- In the event of receiving a disclosure of a safeguarding nature, you should not promise to keep the information confidential.
- Where possible, seek the consent of the pupil before passing on confidential information.
- If you are in doubt about whether a confidence should be passed on, seek guidance from your Designated or Deputy Safeguarding Lead.

Power and Position of Trust

By virtue of your role at the Academy, you will be viewed as occupying a position of trust in relation to pupils. This cannot be a relationship between equals, and you have a responsibility to ensure that this unequal balance of power is not used for personal advantage or gratification. Accordingly:

- You should not use your position to intimidate, bully, humiliate, threaten, coerce or undermine pupils.

- You must not use your status to form or promote relationships which are of a sexual nature, or which may become so.

Propriety and Behaviour

All adults working with young people 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. If actions in their personal life come under scrutiny from local communities, the media or public authorities, this may compromise their position in the workplace or indicate an unsuitability to work with young people (e.g. where misuse of drugs or alcohol or acts of violence are concerned). Accordingly:

- You should understand and be aware that you should use judgement and integrity about behaviours in places other than just your work setting.
- You should not behave in a manner which would lead any reasonable person to question your suitability to work with young people.
- You should not behave in a manner which would be contrary to the guidelines contained in the Prevent Policy and should report to the Designated Safeguarding Lead any concerns about the radicalisation of pupils or staff or any instances of extremism, in line with the Prevent Policy.

Dress and Appearance

Dress and appearance are matters of personal choice and self-expression. However, it is important to dress in ways that are appropriate to role and to tasks undertaken and to maintain professionalism. Those who dress in a manner which could be considered inappropriate could render themselves vulnerable to criticisms or allegations. Accordingly:

- You should not wear clothing which is likely to be viewed as offensive, revealing, or sexually provocative.
- You should not wear clothing which is likely to distract, cause embarrassment or give rise to misunderstanding.
- You should not wear clothing which has overtly political or otherwise contentious slogans.
- You should not wear blue denim (trousers, shorts or skirts/dresses) as it is likely to be considered unprofessional clothing for the setting. In the interests of health and safety, you should not wear flip-flops and ensure all footwear is suitable for your role.

Personal Living Space

No pupil should be invited into the home of a member of staff in a professional capacity, unless reason for this has been firmly established with a senior manager at the Academy and the parent/carer. Accordingly:

- You are responsible for being vigilant in maintaining your privacy and avoiding placing yourself in a vulnerable situation.

Gifts, Rewards and Favouritism

The giving of gifts or rewards to pupil should always fall under the academy's arrangements for supporting positive behaviour or recognising particular achievements. Methods and criteria for selection should always be transparent and subject to scrutiny. Care should also be taken to ensure that you do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment. Accordingly:

- In general you should only give gifts to an individual pupil as part of an agreed reward system.
- You should try to ensure that all selection processes concerning pupils are fair and wherever practical involve other members of staff.

Infatuations

Occasionally a pupil may develop an infatuation with an adult who works with them. Such infatuations need to be dealt with sensitively but do carry a high risk of words or actions being misinterpreted. Accordingly:

- You should report to your manager any indications (verbal, written or physical) that suggest that a pupil has developed an infatuation with you / another member of staff.
- You should always acknowledge and maintain professional boundaries.

Communication with pupils

Communication with pupils 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, web cams, personal websites and social networking sites. Accordingly:

- You should not give your personal contact details, including your mobile phone number, to a pupil unless the need to do so is appropriate to your professional role and has been discussed with your manager.
- You should only use Academy equipment for professional reasons.
- You should not use internet based social networking sites or forums to send personal messages to a pupil.
- You should report to the Designated Safeguarding Lead any concerns about the radicalisation of pupils or staff or any instances of extremism, in line with the Prevent Policy.

Photographs

- You should refrain from using personal equipment for taking photos for school purposes.
- Photographs or moving images may be taken of pupils only if justified as relevant / necessary to their course or school events/activities.
- Consent must be obtained from pupils before displaying such images.
- Images should not be stored after their reproduction for display purposes.
- Images should not be posted onto personal social media websites.

Social Contact

Adults who work with young people should not seek to have social contact with them or their families unless there is a clear professional justification for this. Where this may be the case staff should take care to maintain appropriate personal and professional boundaries. This also applies to social contact made through interests outside of work or through your own family or personal networks. Accordingly:

- You should have no secret social contact with young people.
- You should consider the appropriateness of any social contact and ensure that any planned social contact is discussed with your manager.

Sexual Contact

Intimate or sexual relationships between staff and pupils will be regarded as a grave breach of trust. Any sexual activity between a member of staff and a pupil may be regarded as a criminal offence and will always be a matter for disciplinary action. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable. Sexual activity does not just involve physical contact, it may also include causing pupils to engage in or watch sexual activity or the production of pornographic material. Accordingly:

- You must not have sexual relationships with a pupil.
- You should not have any form of communication with a young person which could be interpreted as sexually suggestive or provocative, i.e. verbal comments, letters, notes, e-mails, texts, phone calls or physical contact.
- You should not make sexual remarks to or about a pupil.
- You should not discuss your own sexual relationships with or in the presence of pupils.

Physical Contact and Intervention

In general, staff should avoid physical contact with pupils, unless such contact is clearly linked to a professional role and within parameters of established and agreed protocols, e.g. sports activities or medical procedures.

If physical contact is required it should never be secretive and should take place in a safe and open environment. In the context of challenging behaviour on the part of a pupil, physical intervention should only be used in exceptional circumstances, if it is necessary to prevent personal injury to the pupil, or to others, and be proportionate. Accordingly:

- You should not touch a young person in a way that may be considered indecent.
- You should understand that physical contact in some circumstances can be easily misinterpreted.
- You should always try to defuse situations before they escalate.
- You should report as soon as possible after the event any incident where physical intervention has been used.

Appendix 2.- Refer to your School document for your named contact.

Managing an Allegation against a Member of Staff

An Allegation has been made against a professional

You need to inform the Headteacher who is the named Senior Manager

Is the allegation against the Headteacher?

Yes

You should contact **Samantha Jones**, CEO (01209 240182) or in her absence the Deputy Senior Manager who is: **NAME**

Or the Chair of Governors: **NAME**

If the allegation has been made against the CEO, contact the Chair of the Board of Directors, **Terry Carter**

The CEO/Deputy Senior Manager / Chair of Governors/Directors will:

- Record what they have been told.
- They should include Name/DOB and address of both the adult(s) against whom the allegation is made and the child.
- Record details of any known or possible witnesses
- Check time/date of incident
- Record details of any other concerns about the adult and/or child together with actions taken and outcomes
- Not investigate any further.

The CEO/Deputy Senior Manager / Chair of Governors/Directors will contact the Local Authority Designated Officer (LADO) for further advice on (01872) 326536

Who will advise:

- If the case is to proceed
- When/how to tell the parents
- Other agencies if appropriate

No

The named Senior Manager will:

- Record what they have been told.
- They should include Name/DOB and address of both the adult(s) against whom the allegation is made and the child.
- Record details of any known or possible witnesses
- Check time/date of incident
- Record details of any other concerns about the adult and/or child together with actions taken and outcomes.
- Not investigate any further

The named Senior Manager should contact the Local Authority Designated Officer (LADO) for further advice on:

(01872) 326536

Who will advise:

- If the case to proceed
- When to tell the parents
- Other agencies if appropriate

The member of staff will be kept informed of the investigation should it proceed and support provided