

# The Saint Benedict Academy

## Staff Code of Conduct

Date of Policy	January 2018
Edited by	Matthew McCowen – 01/12/2018
Date Approved by Trustees	4 <sup>th</sup> December 2018
Date Reviewed by Trustees	19 <sup>th</sup> December 2019
Date of Review	December 2020

## Contents

	Page
<b>Section 1 Overview</b>	
1.1 Background.....	3
1.2 Purpose of the Guidance.....	3
1.3 Underpinning Principles.....	3
1.4 Role of Trustees.....	4
1.5 Making a Professional Judgement.....	4
1.6 'Unsuitability'.....	5
<b>Section 2 The Code of Professional Conduct</b>	
1 Duty of Care .....	5
2 Confidentiality .....	6
3 Power and Positions of Trust .....	6
4 Propriety and Behaviour .....	7
5 Dress and Appearance.....	7
6 Gifts, Rewards and Favouritism.....	7
7 Infatuations.....	8
8 Communication with Pupils .....	8
9 Sexual Contact.....	8
10 Physical Contact.....	9
11 Other Activities that Require Physical Contact .....	9
12 Behaviour for Learning .....	10
13 Use of Control and Physical Intervention.....	10
14 Children in Distress.....	10
15 Personal Care .....	11
16 First Aid and Administration of Medication.....	11
17 One to One Situations.....	11
18 Transporting Pupils.....	12
19 Education Visits and After School Activities .....	12
20 Photography and Videos .....	13
21 Access to Inappropriate Images and Internet Usage.....	13
22 Whistle Blowing.....	13
23 Sharing Concerns and Recording Incidents .....	13

## **Section 1: Overview**

### **1.1. Background**

The purpose of this policy is to set out a clear code of conduct for staff and to safeguard staff and students at the Saint Benedict Academy. It is for all teaching staff at SBA, paid and voluntary.

All adults who come into contact with children in their work have a duty of care<sup>1</sup> to safeguard and promote their welfare. SBA can provide a safe supportive environment.

The vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment. 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. It is essential that all possible steps are taken to safeguard children and to ensure that the adults working with them are safe to do so.

The term 'child/children' is used throughout this guidance to apply to all children/ young people/learners between the ages of 0-18 years who come in to contact with any adult working at SAB.

### **1.2. Purpose of Guidance**

It is important that all staff 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 staff working with children in paid or unpaid capacities, in all settings and in all contexts for SBA. The guidance aims to:

- keep children safe by clarifying which behaviours constitute safe practice and which behaviours should be avoided
- assist staff working with children to work safely and responsibly and to monitor their own standards and practice
- make it clear that disciplinary or legal action will be taken if necessary
- minimise the risk of misplaced or malicious allegations made against staff who work with children
- reduce the incidence of positions of trust being abused or misused

### **1.3. Underpinning Principles**

- The welfare of the child is paramount.<sup>2</sup>

---

<sup>1</sup> 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

<sup>2</sup> Children Act 1989

- Staff should treat colleagues and students with respect and dignity.
- It is the responsibility of all staff to safeguard and promote the welfare of children.
- Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Staff should work and be seen to work, in an open and transparent way.
- Staff should continually monitor and review their practice and ensure they follow the guidance contained in this document.

#### **1.4. Role of the Trustees**

The trustees should aim to:

- foster a 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
- ensure that all staff are aware of expectations, policies and procedures

#### **1.5. Making a Professional Judgement**

There may be occasions and circumstances in which staff have to make decisions or take action in the best interests of the child which could contravene this guidance or where no guidance exists. Staff 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 with a trustee and with the parent or carer. In undertaking these actions staff will be seen to be acting reasonably.

*Staff should always consider whether their actions are warranted, proportionate and safe and applied equitably.*

**This means that where no specific guidance exists staff should:**

- **discuss the circumstances that informed their action, or their proposed action, with a trustee and the parent/carer**
- **report any actions which could be misinterpreted to a trustee**

- **always discuss any misunderstanding, accidents or threats with a trustee**
- **record any areas of disagreement about a course of action taken and if necessary refer to the trustees**
- **ensure they have copies of records which confirm decisions, discussions and reasons why actions were taken including ‘witness’ statements**

### **1.6. ‘Unsuitability’**

The guidance contained in this document is an attempt to identify what behaviours are expected of staff who work with children. Staff 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 children in any capacity.

This means that staff should:

- **have a clear understanding about the nature and content of this document**
- **discuss any uncertainties or confusion with a senior teacher**
- **understand what behaviours may call into question their suitability to continue to work with children**

## **Section 2: Code of Professional Conduct**

### **1. Duty of Care / Relationships**

All staff are accountable for the way in which they exercise authority; manage risk; use resources; and protect children from avoidable harm.

**All staff should:**

- **understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached**
- **always act, and be seen to act, in the child’s best interests**
- **treat students, colleagues, parents, trustees and other visitors with consideration and dignity**
- **avoid any conduct which would lead any reasonable person to question their motivation and intentions**
- **take responsibility for their own actions and behaviour**
- **keep children safe and protect them from sexual, physical and emotional harm**
- **take reasonable steps to ensure the safety and well-being of children. Failure to do so may be regarded as professional neglect**
- **develop respectful, caring and professional relationships with; children, their families, and colleagues, and behave with integrity, maturity and good judgement**

## **2. Confidentiality**

Members of staff may have access to confidential information about children in order to undertake their everyday responsibilities. In some circumstances staff may be given highly sensitive or private information. Staff must, in these circumstances, ensure that for example any probing for details cannot be construed as unjustified intrusion.

**This means that staff:**

- **Should 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 children in a discreet and confidential manner**
- **should never use confidential or personal information about a child or her/his family for their own, or others' advantage**
- **must never use information to intimidate, humiliate, or embarrass a child or colleague**
- **never use confidential information about a child casually in conversation or share with any person other than on a need-to-know basis**
- **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**

## **3. Power and Positions of Trust**

As a result of their knowledge, position and/or the authority invested in their role, all staff working at SBA are in positions of trust in relation to the children in their care. 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.

**This means that staff should:**

- **always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others either students or colleagues. They should report and record any incident with this potential**

**This means that staff 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 children or colleagues**
- **use their status and standing to form or promote relationships which are of a sexual nature, or which may become so**

#### **4. Propriety and Behaviour**

All staff working with children have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of their colleagues, children, the public in general, and all those with whom they work.

**This means that staff should:**

- **be aware that behaviour in their personal lives may impact upon their work with children**
- **follow any policies and procedures adopted by SBA**

**This means that staff 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 students or colleagues, or which might be interpreted as such**

#### **5. Dress and Appearance**

Staff should dress in ways which are appropriate to their role.

**This means that staff should wear clothing which:**

- **is appropriate to their role and professional**
- **is not likely to be viewed as offensive, revealing, or sexually provocative**
- **does not distract, cause embarrassment or give rise to misunderstanding**
- **is absent of any political or otherwise contentious slogans**

#### **6. Gifts, Rewards and Favouritism**

**Staff should:**

- **generally only give gifts to an individual child 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 children are fair**
- **give any gifts openly and without favouritism**
- **not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment**

## **7. Infatuations**

Occasionally, a child may develop an infatuation with a member of staff who works with them.

**This means that staff should:**

- **report and record any incidents or indications (verbal, written or physical) that suggest a child may have developed an infatuation with a member of staff**
- **deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned**
- **always acknowledge and maintain professional boundaries**
- **make every effort to ensure that their own behaviour is above reproach**

## **8. Communication with Children**

**Staff should:**

- **recognise that text messaging should only be used as part of an agreed protocol and when other forms of communication are not possible**
- **ensure that all communications are transparent and open to scrutiny**

## **9. Sexual Contact**

All staff should clearly understand the need to maintain appropriate boundaries in their contacts with children. Intimate or sexual relationships between children and the staff who work with them will be regarded as a grave breach of trust. Any sexual activity between a member of staff and the child with whom they work may be regarded as a criminal offence and will always be a matter for disciplinary action.

**This means that staff should:**

- **ensure that their relationships with children 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.**
- **ensure care and thought in attitudes, demeanour and language, particularly when members of staff are dealing with adolescent boys and girls**

**This means that staff should not:**

- **have sexual relationships with children**
- **have any form of communication with a child 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**



## **10. Physical Contact**

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

**This means that staff 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**
- **always encourage children, where possible, to undertake self-care tasks independently**
- **where a child initiates inappropriate physical contact, it is the responsibility of the member of staff 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**

## **11. Other Activities that require Physical Contact**

Some staff 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.

**This means that staff 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**
- **consider alternatives, where it is anticipated that a child might misinterpret any such contact**
- **conduct activities where they can be seen by others**

It is also important to make the same considerations when dealing with colleagues. Any physical contact should be done so only with the permission and awareness of personal space and boundaries.

## **12. Behaviour for Learning**

All children have a right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour.

**This means that staff should:**

- **not use force as a form of punishment**
- **try to defuse situations before they escalate**
- **inform parents of any behaviour management techniques used**
- **be mindful of factors which may impact upon a child's behaviour e.g. bullying, abuse and where necessary take appropriate action**
- **not use any form of degrading treatment to punish a child such as the use of sarcasm or demeaning or insensitive comments**
- **only use physical intervention (positive handling) in exceptional circumstances and as a last resort when other behaviour management strategies have failed**

### **13. Use of Control and Physical Intervention (Positive Handling)**

There are circumstances in which staff working with children displaying extreme behaviours can legitimately intervene by using either non-restrictive or restrictive physical interventions. The use of physical intervention should, wherever possible, be avoided.

**This means that staff should:**

- **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**
- **not use physical force or intervention as a form of punishment**

### **14. Children in Distress**

There may be occasions when a distressed child needs comfort and reassurance and this may involve physical contact.

**This means that staff should:**

- **use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries**
- **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 and record such actions in these circumstances**
- **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**

### **15. Personal Care**

Children 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.

**This means that staff 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**
- **be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the children with whom they work**

**This means that staff should not:**

- **change in the same place as children**
- **assist with any personal care task which a child can undertake by themselves**

## **16. First Aid and Administration of Medication**

If first aid is needed, it should be administered by one of the certified first-aiders at SBA

**Staff should:**

- **adhere to SBA's policy for administering first aid or medication**
- **comply with the necessary reporting requirements**
- **make other staff 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**

## **17. One to One Situations**

One to one situations have the potential to make children more vulnerable to harm by those who seek to exploit their position of trust. Staff working in one to one settings with children may also be more vulnerable to unjust or unfounded allegations being made against them. Every attempt should be made to ensure the safety and security of children and the staff who work with them.

**This means that staff should:**

- **avoid meetings with a children in remote, secluded areas**
- **always inform other staff and/or parents/carers about the contact 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 member of staff
- carefully consider the needs and circumstances of the child/children when in one to one situations

## **18. Transporting Children**

There will be occasions when staff are expected or asked to transport children as part of their duties.

**This means that staff 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
- 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 all passengers should wear seat belts and it is the responsibility of the member of staff to ensure that this requirement is met
- staff should also be aware of current legislation and adhere to the use of car seats for younger children

## **19. Educational Visits and After-School Activities**

Staff should take particular care when supervising children on trips and outings, where the setting is less formal than the usual workplace. Staff 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.

**This means that staff should:**

- always have another member of staff present in out of workplace activities, unless otherwise agreed with a senior member of staff
- undertake risk assessments in line with SAB's policy where applicable
- have parental consent to the activity
- ensure that their behaviour remains professional at all times
- keep colleagues/employers aware of their whereabouts, especially when involved in activities outside the usual workplace

## **20. Photography and Videos**

Working with children 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 children.

**This means that staff should:**

- **gain informed consent from parents or carers and agreement, where possible, from the child, before an image is taken for any purpose**
- **be clear about the purpose of the activity and about what will happen to the images when the activity is concluded**
- **avoid taking images in one to one situations or which show a single child with no surrounding context**
- **ensure the child understands why the images are being taken and has agreed to the activity and that they are appropriately dressed**
- **always ensure they have parental permission to take and/or display photographs**
- **be clear who cannot have pictures taken**

**This means that staff should not:**

- **display or distribute images of children unless they have consent to do so from parents/carers**
- **use images which may cause distress**
- **take images 'in secret', or take images in situations that may be construed as being secretive**

## **21. Access to Inappropriate Images and Internet Usage**

There are no circumstances that will ever justify staff possessing indecent images of children. Staff who access and possess links to such websites will be viewed as a significant and potential threat to children.

**This means that staff should:**

- **ensure that children are not exposed to unsuitable material on the internet**
- **ensure that any films or material shown to children are age appropriate**

## **22. Whistle blowing**

Whistle blowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion.

**This means that staff should:**

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

## **23. Sharing Concerns and Recording Incidents**

In the event of any allegation being made, by a member of staff this should be referred directly to the senior teacher. If it relates to the senior teacher this should be made directly to the Trustees. Information should be clearly and

promptly recorded and reported without delay.

**This means that staff 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**