



## Windsor Academy Trust

<b>Staff Code of Conduct</b>	
<b>Responsible Committee:</b>	Windsor Academy Trust, Board of Directors
<b>Date revised by Board of Directors:</b>	22 March 2018
<b>Next review date:</b>	March 2019

## 1. Introduction

1.1. This Code sets out the professional standards expected and the duty upon all adults working for Windsor Academy Trust (WAT) to abide by it. All adults working within the Trust have a duty to keep students safe, promote their welfare and, to protect them from radicalisation (the Prevent duty), abuse (sexual, physical and emotional), neglect and safeguarding concerns. This duty is, in part, exercised through the development of respectful, caring and professional relationships between staff and pupils and behaviour by adults that demonstrates integrity, maturity and good judgement. Following this Code will help to safeguard adults from being maliciously, falsely or mistakenly suspected or accused of misconduct in relation to pupils.

1.2. Staff are required to keep abreast of statutory guidance. This Code should be read in conjunction with statutory guidance on 'Keeping Children Safe in education' and "Working together to safeguard children". This Code cannot provide an exhaustive list of what is, or is not, appropriate behaviour for staff. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to the required professional standards. There will be occasions and circumstances in which staff have to make decisions or take action in the best interests of the pupil where no specific guidance has been given. Staff are expected to make responsible and informed judgments about their own behaviour in order to secure the best interests and welfare of the pupils.

1.3. The Code of Conduct applies to:

- All staff employed by the Trust.
- Staff employed on a voluntary, casual or temporary basis, including agency staff.

1.4. Any behaviour in breach of this Code by employees may result in formal action under the Disciplinary Policy. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The Trust will take a strict approach to serious breaches of this Code.

1.5. Safeguarding and Child Protection

Staff have a duty to act in accordance with the academy's safeguarding and child protection policies and report any safeguarding, child protection, welfare or radicalisation concerns about students to the Designated Safeguarding Lead.

1.6. Whistleblowing/Confidential Reporting

Staff must raise concerns they have about safeguarding or child protection practices by following the Confidential Reporting Policy. An adult who "whistle blows" or makes a public interest disclosure will have the protection of the relevant legislation.

1.7. Allegations of Abuse against Staff

Where it is alleged that a member of staff has:

- Behaved in a way that has harmed a child, or may have harmed a child;
- Possibly committed a criminal offence against or related to a child; or
- Behaved towards a child or children in a way that indicates s/he would pose a risk of harm to children

then the academy will follow the Trust's Allegations of Abuse against Staff Policy.

## **2. Expected Professional Standards**

2.1. All staff as appropriate to the role and/or job description of the individual, must:

- place the well-being and learning of students at the centre of their professional practice
- have high expectations for all students, be committed to addressing underachievement, and work to help students progress regardless of their background and personal circumstances
- treat students fairly and with respect, take their knowledge, views, opinions and feelings seriously, and value diversity and individuality
- model the characteristics they are trying to inspire in students, including enthusiasm for learning, a spirit for enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people
- respond sensitively to the differences in the home backgrounds and circumstances of students, recognising the key role that parents and carers play in students' education.
- Seek to work in partnership with parents and carers, respecting their views and promoting understanding and co-operation to support the young person's learning and well-being in and out of school
- Reflect on their own practice, develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues
- Ensure that the same professional standards are always applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identify.
- Use financial resources given to them in a lawful manner and not use the Trust's facilities or resources for their own purposes.
- Disclose to their line manager any relationships they have with colleagues or potential job applicants
- Act within Trust guidelines and declare/register any financial/non-financial interests.

2.2. Teachers are required to comply with the Teachers Standards 2012, in particular Part 2 Personal and Professional Standards.

2.3. All staff must be familiar with and act in accordance with the most recent versions of the following documents:

- Keeping Children Safe in Education
- Working Together to Safeguard Children
- Prevent Duty Guidance
- The Prevent duty department advice for schools and childcare providers
- Guidance for safer working practice for those working with children and young people in education settings

2.4. An employee who fails to bring a matter of concerns to the attention of senior manager and/or the relevant agencies is likely to be subject to disciplinary action.

## **3. Confidentiality**

3.1. Adults may have access to confidential information about children and young people in order to undertake their responsibilities. In some circumstances the information may be sensitive data and/or confidential. Confidential or personal information must never be disclosed to anyone other than on a need to know basis and advice should be sought prior to disclosure to ensure such disclosure is in accordance with the General Data Protection Regulations (GDPR). In circumstance where the student's identity does not need to be disclosed the information should be used anonymously. Information must never be used to

intimidate, humiliate, or embarrass the student. Information must never be used by anyone for their own or others advantage (including that of partners, friends, relatives or other organisations).

- 3.2. There are some circumstances in which an employee may be expected to share information about a pupil, for example when abuse is alleged or suspected. In such cases, Staff have a duty to pass information on without delay to those with designated safeguarding responsibilities.
- 3.3. Confidential information must be held securely and must not be held off site other than on security protected WAT equipment. Information must only be stored for the length of time necessary to discharge the task for which it is required.
- 3.4. If a pupil or parent/carer makes a disclosure regarding abuse or neglect, the adult must follow the Trust's procedures and the guidance as set out in Keeping Children Safe in Education. Confidentiality must not be promised to the pupil or parent/carer however reassurance should be given that the information will be treated sensitively.
- 3.5. If an employee is in any doubt about the storage or sharing of information s/he must seek guidance from the Designated Safeguarding Lead. Any media or legal enquiries must be passed immediately to the Headteacher. Employees must not contact any media unless specifically authorised to do so.

#### **4. Propriety, Behaviour and Appearance**

- 4.1. All adults working with children and young people have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and all those with whom they work. An adult's behaviour or actions, either in or out of the workplace, must not compromise his/her position within the work setting, or bring the Trust into disrepute.
- 4.2. Staff are required to notify the Headteacher (or the most senior member of staff in their absence) immediately of any allegation/s of misconduct that are of a safeguarding nature made against them (or implicating them), by a child or adult in relation to any outside work or interest (whether paid or unpaid) and, of any arrest or criminal charge whether child related or not. Where employees fail to do so, this will be treated as a serious breach of this Code and dealt with under the Trust's Disciplinary Policy.
- 4.3. Individuals should not behave in a manner which would:
  - lead any reasonable person to question their suitability to work with children and young people or to act as an appropriate role model;
  - make, or encourage others to make sexual remarks to, or about, a child or young person;
  - use inappropriate language to or in the presence of children and young people;
  - discuss their personal or sexual relationships with or in the presence of children and young people;
  - make, or encourage others to make, unprofessional personal comments with scapegoat, demean or humiliate, or might be interpreted as such;
  - result in disqualification from childcare under the Childcare Act 2006, prohibition from teaching by the NCTL, a bar from engaging in regulated activity, or action by another relevant regulatory.
- 4.4. All staff must maintain an appropriate standard of dress and personal appearance at work which promotes a positive and professional image. Clothing and footwear must be safe and

clean and take account of health and safety considerations. Staff must ensure they are dressed in ways which are appropriate to their role and not likely to be viewed as offensive, revealing or sexually provocative and specifically should not distract, cause embarrassment or give rise to misunderstanding, should be religious and culturally sensitive and free of any political or otherwise contentious slogans, and not considered to be discriminatory. Staff who dress or appear in a manner which may be considered as inappropriate could be subject to allegations of misconduct that may lead to action under the Trust's Disciplinary Policy.

- 4.5. Personal property of a sexually explicit nature or property which might be regarded as promoting radicalisation or otherwise inappropriate such as books, magazines, CDs, DVDs or such material on any electronic device including links to such material must not be brought onto or stored on Trust premises or on any Trust equipment.

## **5. Sexual Contact with Children and Young People and Abuse of Trust**

- 5.1. A relationship between an adult and a child or young person is not a relationship between equals; the adult has a position of power or influence. There is potential for exploitation and harm of children or vulnerable young people and all adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Adults must not use their status or position to form or promote relationships with children (whether current students or not), that are of a sexual nature, or which may become so. Adults should maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report any incident with this potential.
- 5.2. Any sexual behaviour or activity, whether homosexual or heterosexual, by an adult with or towards a child or young person is illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether there is consent or not. Where a person aged 18 or over is in a specified position of trust with a child or young person under 18 years, the Sexual Offences Act 2003 makes it 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. Sexual behaviour includes non-contact activities, such as causing a child or young person to engage in or watch sexual activity or the production of indecent images of children.
- 5.3. Adults must not have sexual relationships with students or 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, texts, electronic mail, phone calls, social networking contact or physical contact. The adult should not make sexual remarks to, or about, a child or young person or discuss their own sexual relationships with or in the presence of students. Adults should take care that their language or conduct does not give rise to comment or speculations. Attitudes, demeanour and language will require care and thought.
- 5.4. 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 young person, and manipulate that relationship so that sexual abuse can take place. Adults should be aware that conferring special attention without good reason or favouring a pupil has the potential to be construed as being part of a 'grooming' process, which is a criminal offence and will always be a matter for disciplinary action.

## **6. Infatuations and Crushes**

6.1. A child or young person may develop an infatuation with an adult who works with them. An adult, who becomes aware (may receive a report, overhear something, or otherwise notice any sign no matter how small or seemingly insignificant) that a pupil has become or may be becoming infatuated with him/herself or a colleague, must report this without delay to the Headteacher or the most senior manager so that appropriate action can be taken to avoid any hurt, distress or embarrassment. The situation will be taken seriously and the adult should be careful to ensure that no encouragement of any kind is given to the student. It should also be recognised that careless and insensitive reactions may provoke false accusations.

6.2. Examples (not an exhaustive list) of situations which must be reported are given below:

- Where an adult is concerned that he or she might be developing a relationship with a pupil which could have the potential to represent an abuse of trust.
- Where an adult is concerned that a pupil is becoming attracted to him or her or that there is a developing attachment or dependency.
- Where an adult is concerned that actions or words have been misunderstood or misconstrued by a pupil such that an abuse of trust might be wrongly suspected by others.
- Where an adult is concerned about the apparent development of a relationship by another adult, or receives information about such a relationship.

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

7.1. It is against the law for public servants to take bribes. Staff need to take care that they do not accept any gift that might be construed by others as a bribe, or lead the giver to expect preferential treatment. There are occasions when pupils or parents/carers wish to pass small tokens of appreciation to Staff e.g. at Christmas 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.

7.2. Personal gifts must not be given to pupils or their families/carers. This could be misinterpreted as a gesture either to bribe or groom. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a pupil should be consistent with the Academy's behaviour or rewards policy, recorded, and not based on favouritism.

7.3. Care should be taken when selecting children for specific activities, jobs, privileges and when pupils are excluded from an activity in order to avoid perceptions of favouritism or injustice. Methods of selection and exclusion should be subject to clear, fair and agreed criteria.

## **8. Social Contact and Social Networking**

8.1. Communication between children 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, digital cameras, videos, web-cams, social networking websites, blogs, apps such as Whatsapp, gaming sites and other hand held devices. Adults should not share any personal information with a child or young person and they should not request, or respond to, any personal information from the child or young person, other than that which might be appropriate as part of their professional role. They should ensure that all communications are transparent and avoid any communication that could be interpreted as 'grooming' behaviour.

- 8.2. Adults must not give their personal contact details such as home/mobile phone number; home or personal e-mail address or social networking details to pupils unless the need to do so is agreed with the Headteacher. If, for example, a pupil attempts to locate an adult's personal contact details and attempts to contact or correspond with him/her, the adult should not respond and must report the matter to the Headteacher. All staff are advised not to use their mobile phone in school time unless for school business.
- 8.3. It is recommended that adults ensure that all possible privacy settings are activated to prevent pupils from making contact on personal profiles and to prevent pupils from accessing photo albums or other personal information which may appear on social networking sites.
- 8.4. Adults are personally responsible for what they communicate in social media and must bear in mind that what is published might be read by the Trust, pupils, parents and carers, the general public, future employers and friends and family for a long time. Adults must ensure that their on-line profiles are consistent with the professional image expected by WAT and must not post material which damages the reputation of the Trust or which causes concern about their suitability to work with children and young people. Those who post material which may be considered as inappropriate could result in allegations of misconduct which may be dealt with under the Disciplinary Policy. Even where it is made clear that the writer's views on such topics do not represent those of the Trust, such comments are inappropriate.
- 8.5. Adults are advised not to have any online friendships with any young people under the age of 18, unless they are family members or close family friends. Adults are advised not to have online friendships with parents or carers of pupils, or members of the governing body/trustees. Where such on line friendships exist, adults must ensure that appropriate professional boundaries are maintained.
- 8.6. It is acknowledged that adults may have genuine friendships and social contact with parents or carers of students, independent of the professional relationship. Adults should, however, inform the Headteacher:
- of any relationship with a parent/carer where this extends beyond the usual parent/carer/professional relationship;
  - of any regular social contact they have with a pupil or parent/carer, which could give rise to concern;
  - of any requests or arrangements where parents/carers wish to use their services outside of the workplace e.g. babysitting, tutoring

Adults should always approve any planned social contact with pupils or parents/carers with senior colleagues, for example when it is part of a reward scheme. If a parent/carer seeks to establish social contact, or if this occurs coincidentally, the adult should exercise his or her professional judgment and should ensure that all communications are transparent and open to scrutiny.

- 8.7. Some employees may, as part of their professional role, be required to support a parent or carer. If that person comes to depend upon the employee or seeks support outside of their professional role this should be discussed with the Headteacher and where necessary referrals made to the appropriate support agency.

## **9. Physical Contact, Personal Privacy and Personal Care**

- 9.1. There are occasions when it is entirely appropriate and proper for employees to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their

professional role and in relation to the pupil's individual needs and any agreed care plan. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity, culture and background. Employees must use their professional judgement at all times. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil in one set of circumstances may be inappropriate in another, or with a different pupil.

- 9.2. Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. Adults should never touch a pupil in a way which may be considered indecent. If an adult believes that an action could be misinterpreted, the incident and circumstances should be reported as soon as possible to a senior leader.
- 9.3. Physical contact, which occurs regularly with a pupil or pupils, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to students with SEN or physical disabilities). The positive handling policy clearly outlines the protocol. Where feasible, staff should seek the student's permission before initiating contact. Adults should listen, observe and take note of the pupil's reaction or feelings and – so far as is possible - use a level of contact which is acceptable to the pupil for the minimum time necessary.
- 9.4. There may be occasions when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. Adults should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation. Adults should always tell a colleague when and how they offered comfort to a distressed pupil.
- 9.5. Where an adult has a particular concern about the need to provide this type of care and reassurance s/he should seek further advice from the Designated Safeguarding Lead.
- 9.6. Some employees, for example, those who teach PE and games, or who provide music tuition will on occasions have to initiate physical contact with pupils in order to support a pupil so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the pupil's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in a safe and open environment. Adults should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil.
- 9.7. All parties should clearly understand from the outset what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers informed of the extent and nature of any physical contact may also prevent allegations of misconduct arising. Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be reported to the Headteacher and parent/carer.
- 9.8. Students are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard students, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the students concerned and sensitive to the potential for embarrassment. Adults who are required as part of their role to attend changing rooms should announce their intention of entering any student changing rooms and only remain in the room where the student/s needs require this.
- 9.9. Employees working a role which includes intimate care duties will have appropriate training and written guidance including a written care plan for any pupil who could be expected to require intimate care. Staff should adhere to the Academy's intimate and personal care



policies. No other adult should be involved in intimate care duties except in an emergency. A signed record should be kept of all intimate and personal care tasks undertaken and, where these have been carried out in another room, include times left and returned. Employees should not assist with personal or intimate care tasks which the pupil is able to undertake independently.

## **10. Behaviour Management and Physical Intervention**

- 10.1. All children and young people have a right to be treated with 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. Any sanctions or rewards used should be part of a behaviour management policy which is widely publicised and regularly reviewed.
- 10.2. Where children display difficult or challenging behaviour, staff must follow the behaviour policy 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. The positive handling policy clearly outlines the protocol.
- 10.3. The use of physical intervention 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 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 and must be reported within the policy and guidance set out in school. Wherever possible, physical restraint should only be carried out by members of staff who have been suitably trained.

## **11. One to One Situations and Meetings with Students**

- 11.1. It is not realistic to state that one to one situations should never take place. Staff should avoid meetings with a child or young person in remote, secluded areas, always inform other colleagues and/or parents/carers about one to one contacts and ensure they report any incident where a child becomes distressed in a one to one situation. Where one to one situations take place, they will ideally be in a room with a window allowing the interaction to be clearly visible.
- 11.2. No child or young person should be in or invited into the home of an adult who works with them, unless the reason for this has been firmly established and agreed with parents/carers and the Headteacher.

## **12. Transporting Children and Young People**

- 12.1. There will be occasions when staff are expected to be asked to transport children as part of their duties. Staff, 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 make use of boosters seats when necessary; it is the responsibility of the staff member to ensure that these requirements are met. The driver should be aware of the current legislative requirements concerning the use of cars and adhere to these.
- 12.2. 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 Headteacher and has been agreed with the parents/carers.

12.3. 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 the Headteacher and parents/carers.

### **13. Photography and Videos**

13.1. Working with children and young people 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 wellbeing of children and young people. Photographs taken should be shown to your line manager and consent is needed to use the image of a pupil.

13.2. Photographs must not be taken on personal devices and staff must make use of the school camera. Photographs must also not be stored on personal laptops or memory sticks.

### **14. Unacceptable use of ICT Facilities and Monitoring**

14.1. Posting, creating, accessing, transmitting, downloading, uploading or storing any of the following material (unless it is part of an authorised investigation) is likely to amount to gross misconduct and result in summary dismissal (this list is not exhaustive):

- Pseudo-images of children (child abuse images), pornographic or sexually suggestive material or images of children or adults which may be construed as such in the circumstances (that is, writing, texting, pictures, films and video clips of a sexually explicit or arousing nature),
- Any other type of offensive, obscene or discriminatory material, criminal material or material which is liable to cause distress or embarrassment to the Trust or others.

14.2. The contents of our ICT resources and communications systems are the Trust's property. Therefore, adults should have no expectation of privacy in any message, files, data, document, facsimile, telephone conversation, social media post, conversation or message, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on our electronic information and communications systems.

14.3. We reserve the right to monitor, intercept and review, without prior notification or authorisation from staff. Usage of our IT resources and communications systems, including but not limited to telephone, e-mail, messaging, voicemail, CCTV, internet and social media postings and activities is monitored to ensure that our rules are being complied with and for the following purposes:

- To monitor whether the use of the e-mail system or the internet is legitimate and in accordance with the Code;
- To assist in the investigation of alleged wrongful acts; or
- To comply with any legal obligation

### **15. Alcohol and Drugs**

15.1. At all times employees are personally responsible for making sure that their consumption of alcohol does not in any way conflict with their responsibilities at work or conditions of employment. Employees must have regard to the law and in respect of recreational drug use.

## **16. Staff training and awareness**

16.1. The Trust shall ensure that all staff receives the relevant training, advice, guidance and support required to work within a school environment and to fulfil their job role and responsibilities. It is a requirement that all staff follow the Trust/Academy policies and participate in appropriate and relevant staff training and development. Staff should always keep abreast of policy and best practice in relation to keeping children safe and pay close attention to information shared by the Trust.

## **17. Dignity and Equality at Work**

17.1. The WAT Board of Director and Local Advisory Board members wishes to create an environment where all employees are treated with dignity and respect and are committed to achieving equality of choice as an employer of people, provider of services, educator and community leader. All employees are expected to adopt the Trust's vision of equality of opportunity and ensure that the Anti-Bullying Policy and Procedures are adhered to at all times.

## **18. New Appointments**

18.1. Appointments of new staff are made on the basis of merit alone. There is a strong risk of illegality if an appointment is based on anything other than the ability of the applicant to undertake the duties of the post. To avoid accusations of bias, employees will not be involved in appointments where they are related to an applicant or otherwise have a close personal relationship with them or have knowledge of them in another context e.g. business associates.

18.2. Similarly, employees will not be involved in decisions relating to discipline, promotion, recruitment or pay and conditions for any other employee who is a relative, partner, close friend etc. All applicants will be asked to declare any relationship to the Chief Executive or Headteacher and if they fail to do so, any offer of appointment may be withdrawn or they may be dismissed if already appointed.

18.3. Further guidance with regard to recruitment can be found in the Recruitment and Selection Policy.

## **19. No Smoking**

19.1. Smoking is prohibited in any part of the Trust's premises or vehicles. Failure to comply with these requirements may lead to action being taken under the Disciplinary Procedure.

## **20. Health & Safety**

20.1. Employees also have a duty to familiarise themselves with all the safety regulations that apply to their job and the area in which they work. Full details are provided in the Health and Safety Policy.