

# **A CODE OF CONDUCT**

**FOR SCHOOL BASED STAFF**

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## **A CODE OF CONDUCT FOR SCHOOL BASED STAFF**

### **INTRODUCTION**

This code of conduct is intended to help staff minimise the risk of being accused of inappropriate behaviour towards the young people with whom they come into contact during their work. It is recommended that Headteachers use this document as a basis for discussion and training on at least an annual basis so that schools can formally adopt their own policies and procedures relevant to the context of their own working environment. If employees have any doubts about the advice contained in this document they should consult their Headteacher.

For the vast majority of employees this code of conduct will serve only to confirm what has always been their practice

However, from time to time it is advisable for all employees to reappraise their teaching styles, relationships with pupils and their manner and approach to individual pupils, to ensure that they give no grounds for any doubts of the appropriateness of their behaviour in the minds of colleagues, pupils or parents and so that they minimise the risk of a complaint being made.

Children will be best protected when they are empowered to speak and adults are prepared to believe. This will include not only reporting of abuse at home or outside school but also any incident where a pupil has grounds to believe that a member of staff has crossed the boundary of acceptable behaviour including abusive acts. Headteachers working with employees should continue to do all they can to ensure that the environment within school encourages truthful reports of any inappropriate behaviour.

The following practical advice to staff should be recognised as only part of an overall school policy and strategy to safeguard pupils. A determined abuser could get around and even use any procedures to their own advantage.

All Child Protection Coordinators/Headteachers should be familiar with the documents listed in Annex C.

#### **1. Meetings With Pupils**

- (a) Employees should be aware of the dangers which may arise from private interviews, individual tuition or even casual meetings before or after lessons with individual pupils. It is recognised that there will be occasions when confidential interviews must take place, but, where possible, such interviews should be conducted in a room with visual access, or with the door open, or in a room or area which is likely to be frequented by other people. Meetings with pupils away from the school premises should not be permitted. Doors should always be unlocked

during interviews. Headteachers should ensure that non-visible areas are not created in the school by the use of partitions or blocked areas.

- (b) Where such conditions cannot apply employees are advised to ensure that another adult knows that the interview is taking place. This is particularly important if the interview is before or after the school day. The use of “engaged” signs or lights is not advisable.
- (c) Where possible other pupils or another adult should be present or nearby during the interview.
- (d) Wherever possible leave space between the pupil and yourself rather than sit next to the pupil.
- (e) It is recognised that staff working with pupils with Special Education Needs may need to physically guide or prompt pupils. This should be recorded in the pupil’s Individual Education Plan (IEP). Staff working with pupils with SEN should read Annex B.
- (f) Teachers should not normally transport individual children alone.

## 2. **First Aid**

- (a) Where possible first aid should be administered by a member of staff who has received training in first aid. To prevent necessary physical contact being misconstrued employees who have to administer first aid should ensure that someone else is present, preferably an adult.

## 3. **Reporting Incidents That Cause Concern To Staff**

Employees should provide a written report to the Headteacher of any unnecessary physical contact or restraint, action or words which could have a sexual connotation. Following any incident where an employee feels that his/her actions have been, or may be, misconstrued he/she should discuss the matter with the Headteacher. It is especially important to speak to the Headteacher in cases where an employee has been obliged to restrain a pupil physically whether or not a complaint has been made by a pupil, parent or other adult.

It is important to keep detailed records which will need to be accessed in the case of a complaint.

## 4. **Where Physical Contact May Be Acceptable**

- (a) There may be occasions where a distressed pupil needs comfort and reassurance which may include physical comforting such as a caring parent would give; dependent on the age of the pupil. Employees should use their discretion in such cases to ensure that what is, and what is seen to be by others present, to be normal and natural, and is

not unnecessary and unjustified contact, particularly with the same pupil over a period of time.

- (b) Some employees are likely to come into physical contact with pupils from time to time in the course of their duties. Examples include: showing a pupil how to use a piece of apparatus or equipment; supporting pupils for safety reasons; demonstrating a move or exercise during games, PE, dance or drama. Employees should be aware of the limits within which such contact should properly take place and of the possibility of such contact being misinterpreted. See advice for Drama staff contained in Circular "Teaching Drama: Guidance on Safeguarding Children and Child Protection for Managers and Drama Teachers" which also contains relevant information for teachers of other subjects e.g. Dance, P.E. (See Annex C).
- (c) There may be occasions where it is necessary for employees to restrain a pupil physically to prevent him/her from inflicting injury to others or self-injury.

In such cases only the minimum reasonable force necessary may be used and any action taken must be to restrain the pupil. Restraint should not be used on secondary age pupils leaving the classroom or school premises without permission unless there is a clear issue of possible injury to others or self. Where an employee has taken action to restrain a pupil he/she should discuss the matter as advised in paragraph 3 above. Please refer to the LEA's Restraint Policy.

#### 5. **Gratuitous Physical Contact With pupils**

- (a) Physical contact may be misconstrued by a pupil, parent or observer. Such contact can include well intentioned informal and formal gestures such as putting a hand on the shoulder or arm, which if repeated with an individual pupil could lead to serious questions being raised. Therefore as a general principle employees must not make gratuitous physical contact with their pupils. Staff should not use touching as a way of relating to pupils.
- (b) Any form of physical punishment of pupils is unlawful as is any form of physical response to misbehaviour unless it is by way of restraint to avoid injury to another person or to self (as in 4c). It is particularly important that employees understand this both to protect their own position and the overall reputation of the school.

#### 6. **Where Conversations Of A Sensitive Nature May Be Appropriate**

- (a) This is a particularly difficult area as the proper pastoral relationships which allow children outlets for their anxieties and worries must not be adversely affected. Many employees have a pastoral responsibility for pupils and, in order to fulfil that role effectively, there will be occasions where conversations will cover particularly sensitive matters. In these

situations probing for details can be construed as unjustified intrusion and should be avoided.

- (b) Other employees in schools may from time to time be approached by pupils for advice. Pupils may also appear distressed and employees may feel the need to ask if all is well. In such cases employees must judge whether it is appropriate for them to offer counselling and advice or whether to refer the pupil to another employee with acknowledged pastoral responsibility for the particular pupil.
- (c) Staff must be made aware of the importance of passing on information to the school's Child Protection Coordinator **immediately** if there is cause for concern for a child's health or well being.

## 7. **Inappropriate Comments And Discussions With Pupils**

- (a) Employees should ensure that their relationships with pupils are appropriate to the age and gender of the pupils, taking care that their conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when employees of either sex are dealing with adolescent boys and girls.
- (b) As with physical contact, comments by employees to pupils either individually or in groups can be misconstrued.

As a general principle therefore employees must not make unnecessary comments to and/or about pupils which could be construed to have a sexual connotation.

It is also unacceptable for employees to introduce or to encourage debate amongst pupils in class, or elsewhere, which could be construed as having a sexual connotation that is unnecessary given the context of the lesson, or the circumstances.

- (c) Use of insensitive, disparaging or sarcastic comments of a personal nature are also unacceptable.

## 8. **Choice And Use Of Teaching Materials**

It is recommended that teaching materials should be familiar to the teacher and not selected without previous assessment; this particularly applies to videos and computer software. See Annex A "The Use of Information Technology and Electronic Equipment in Schools". Thought should be given to the use of materials which could be criticised as being inappropriate.

9. **Educational Visits And Extra Curricular Activities**

Employees should be particularly careful when supervising pupils in any residential settings. The less formal approach adopted in extra curricular activities generally can be open to misinterpretation. Although more informal relationships in such circumstances tend to be usual, the standard of behaviour expected of employees will be no different from the behaviour expected within the school. There should still be a professional distance between all staff and pupils.

10. **Personal Email Addresses and Telephone Numbers**

Staff should be aware of the potential dangers of giving pupils their email addresses or personal telephone numbers

## ANNEXE A

### THE USE OF THE INTERNET, INFORMATION TECHNOLOGY AND ELECTRONIC EQUIPMENT IN SCHOOLS

There is growing concern that the equipment now common in schools is capable of misuse, particularly with regard to the transmission, both manually and electronically, of inappropriate materials. The Principle issues are:

1. Abuse of children in Internet-delivered content.
  2. Grooming of pupils online.
  3. Violent, pornographic or inappropriate online content.
  4. Misuse of social networking sites.
  5. Bullying through the use of Internet/Mobile Technologies.
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1. Staff should be familiar with LEA guidelines for the safe use of the internet.
  2. Staff and pupils should be made aware of the potential misuse of mobile phones.
  3. Schools should keep an inventory which records the normal location of each piece of equipment and this should be checked at least annually.
  4. Any equipment that is taken off school premises should be signed for and its intended use recorded. Such use of equipment should be for short periods only.
  5. Videos and other cameras should not be used in confined or secluded areas with individual pupils.
  6. P.C's, scanners, digital equipment and modems should be sited in open access areas which are generally supervised.
  7. No one teacher should have exclusive access to video cameras, recorders, other cameras or modems. Knowledge and equipment should be shared.
  8. Children should not have open and individual access to the fax machines, satellite\cable decoders and modems.
  9. No unauthorised disks (i.e. disks which are not generated by either the county or the school) should be allowed on school premises. This is, in any case, a good idea to stop the potential spread of computer viruses.
  10. All recorded materials (e.g. video tapes, DVDs, CDs) should be clearly labelled as to content.

11. Visual recording should only be undertaken with the permission of the Headteacher and parents. If visual recording is used extensively, this should be stated e.g. in the School's SEN Assessment Policy.
12. Periodic and random checks should be made of P.C's and any storage devices. Both staff and children should be made aware that this procedure is in force.
13. Where improper data has been found on the premises and any preliminary investigation suggests that a member of staff may have been responsible, consideration will need to be given to disciplinary action. Appropriate advice **must** be sought from the Manager, Planning and Information, in the Education Department in County Hall before taking any action.

If a pupil is thought to have had access to inappropriate data, consideration will need to be given to disciplinary action including possible involvement of the police. Advice can be sought from the Manager, Planning and Information, Education Department at County Hall – 01792 636537.

## ANNEXE B

### **FURTHER GUIDANCE FOR STAFF WORKING WITH CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS (SEN)**

The *Code of Conduct* gives general advice relevant to the majority of situations in schools. However it is recognised that further guidance is necessary for staff working with children and young people who have special educational needs (SEN).

The Education Act 1993 defines “special educational provision” as educational provision which is additional to, or otherwise different from, the educational provision made generally for children.....in the area”, therefore, working practices, teaching methods and organisation of lessons may be significantly different in such settings from that which applies elsewhere. In particular, special schools, designated schools for the physically disabled and schools with specialist teaching facilities for groups of children with SEN should consider the *Code* in relation to this further guidance.

#### **Teaching individuals and small groups**

It is common practice for SEN support staff to work with small groups or with individual children often in a setting other than the classroom. In many cases this will be a withdrawal teaching room, but might include a more discreet area, such as a light stimulation room. It is also recognised that some pupils may need to be taken off site for specific purposes, for instance, visually impaired pupils for mobility training and pupils with behavioural difficulties for re-integration into their mainstream school.

In such case the following issues should be considered:

- as stated in the *Code*, doors should never be locked;
- the Headteacher should be aware that the session is taking place and of its purpose; to ensure that this is the case, the following should apply:

the session should be shown on the timetable;  
the session should be planned and recorded as part of the child’s Individual Education Plan (as required by the *Code of Practice on the Identification and Assessment of Special Educational Needs*).

#### **Use of physical contact**

Touching, including massage, forms a very important part of the sensory curriculum for many children and young people with profound and multiple learning difficulties or with sensory impairments. Staff should not be deterred by the *Code* from the sensitive application of such techniques where they are

clearly essential. In most cases, massage would be undertaken in the presence of another member of staff and this is the recommended practice. The need for such techniques should be clearly identified and recorded in the child's Individual Education Plan (IEP).

Many children with SEN are unable to communicate verbally and even many of those who can, may rely more heavily than other children on physical contact, gesture or signing as supports to communication. Staff in such situations will need to deploy techniques which will meet the particular needs of individual children. Again these should be specified in the child's IEP in accordance with good practice.

The use of a physical prompt is often an essential stage in the acquisition of a new skill and should be deployed where necessary. It is, however, good practice to gradually reduce such prompts as soon as it is feasible, so as to ensure that the skill is used independently.

## **Toileting**

A number of children with SEN who are incontinent will need to be changed or toiletted on a regular basis. In such cases, the child's IEP can be used to record the level of support and the kind of assistance to be given. There should be a planned approach which aims to develop as much independence as possible for each individual. For those other children who may have occasional accidents, schools should make parents aware of what facilities and arrangements they have for changing.

It is recognised that it is very often not practical for two members of staff to toilet a child (as advised to the *Code*) but schools should have a clear policy as to who will toilet children. For instance, it is not appropriate for volunteers or students on placement to undertake these duties without supervision.

Changing of children's nappies should not be undertaken in classrooms and schools should ensure that more appropriate facilities are available.

## **Reporting incidents which cause concern**

Pupils with SEN may for a variety of reasons, be unable to report incidents of abuse. Some children with physical disabilities require extensive support for quite intimate aspects of everyday life and it may be difficult for them to distinguish what is acceptable and unacceptable behaviour towards them. Children have a right to privacy and to be treated with care and respect during such procedures, but it may be very difficult for many children to verbalise their feelings, indeed many may be functioning at a pre-verbal level. However, within the context of a 'total communication' approach, schools will be able to recognise aspects of, and changes in behaviour as a means of communication and should act accordingly.

Where children with SEN are vulnerable in this way, it is essential that staff 'advocate' on their behalf, if they have grounds for suspecting that a child is

unhappy about the way in which they are being handled, or if there is a suspicion that abuse may be occurring. Above all, if the school has a policy of involving and empowering such children, this will be their best protection.

### **The use of visual recording**

Visual recording should only be undertaken with the permission of the Headteacher and parents. If visual recording is used extensively for these purposes, this should be stated in the school's 'Assessment Policy' document.

## **ANNEXE C**

### **REFERENCE DOCUMENTS**

- Staff Facing an Allegation of Abuse Guidelines on Practice and Procedure - LEA
- Policy for the use of Reasonable Force to Control or Restrain Pupils. - LEA
- Guidance for Schools on the Use of Images of People: Photographs, Videos and Webcams. - LEA
- Broadband Network Use Agreement September 2003 - LEA
- Advice to Headteachers on the Use of Internet Technology September 2003. - LEA
- WAG Circular – Teaching Drama: Guidance on Safeguarding Children and Child Protection for Managers and Drama Teachers.
- LEA Information and Guidance for Schools – Notes for staff.