



## **STAFF CODE OF CONDUCT POLICY**

### **‘The Moorland Way’**

#### **This Policy includes the Junior School and Senior School**

#### **Links to other policies:**

Safeguarding & Child Protection Policy,

All employees at Moorland School are expected to undertake their work in a professional environment. In order to ensure that such an environment exists, it is expected that staff work to achieve a calm, supportive, co-operative and collegiate professional environment.

This code of conduct applies to all those working within our School, regardless of status, and you are advised to familiarise yourself with this important set of standards which we ask you to observe and comply with.

Staff are expected to read and understand the document ‘Keeping Children Safe in Education; information for all school and college staff’ (KCSiE), September 2022.

A copy of the underpinning statutory guidance ‘Working Together to Safeguard Children’, 2018, can be found here: [Working Together to Safeguard Children; July 2018](#).

Staff should also read and understand the following documents relating to the Prevent Duty. The Prevent duty is the duty in the Counter-Terrorism and Security Act 2015 on specified authorities, in the exercise of their functions, to have due regard to the need to prevent people from being drawn into terrorism:

- [Prevent Duty Guidance for England and Wales, July 2015](#)
- [Prevent Duty Departmental Advice for Schools and Childcare Providers, June 2015](#)

All staff receive a copy of, and should read and understand, the School’s [Child Protection Policy](#). Your behaviour and professional conduct must set a good example to all pupils. Each employee has a responsibility to uphold our core values and reputation as an excellent educational establishment, both inside and outside of your normal working hours.

The purpose of this policy is to give guidance to all staff and it complements existing policies published and reviewed annually.

All staff are expected to understand and act in accordance with this policy. It is the duty of line managers to make sure that staff are made aware of the policy and are advised, guided, mentored and managed so as to work in accordance with it.

As a minimum we ask you to demonstrate high standards of conduct by:

- Being calm at all times.
- Assuming the best of intentions on behalf of other colleagues.

- Always supporting and being respectful of the school and colleagues when meeting parents, visitors and other people from outside the school.
- Using professional language at all times, and refraining from making inappropriate comments about children, parents and staff.
- Ensuring at all times language used is non-discriminatory, including race, religion or gender.
- Refraining from being bad tempered; emotional; negative or from losing self-control.
- Refraining from using inappropriate or offensive language at all times whilst in the presence of our pupils and your colleagues.
- Treating all colleagues equally and showing professional respect for all.
- Not imposing additional burdens on other staff through personal inaction, i.e. being pro-active.
- Being punctual at all times.
- Avoiding putting yourself at risk of allegations of abuse or unprofessional conduct. The School's Child Protection Policy gives guidance for staff in the section "Child Protection and Safeguarding – Adults - Avoiding allegations of abuse – guidance for staff". Staff should also adhere strictly to the School's ICT and Acceptable Use Policy.
- Taking reasonable care of pupils with the aim of ensuring their safety and welfare at all times.
- Under no circumstances adult staff, visitors or volunteers to enter/establish an inappropriate relationship with a student within the school, irrespective of age. Teaching, Administrative and Support staff are in a position of trust with all of our children, whatever their age, and breaking that trust is forbidden by law.
- Raising concerns if you suspect that colleagues or children seem at risk. Please raise your concerns with your line manager, Designated Person for Safeguarding, Headteacher, or indeed with Children's Social Care. We believe it is essential to support whistleblowing procedures and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed. Staff should read and understand the school's Whistleblowing policy and Child Protection policy.
- Adhering to the School's ICT Policy with regards to acceptable use of ICT. Not using laptops/PCs or handheld devices in an inappropriate way; keeping passwords safe and secure, whether using inside or outside school.
- Not entering into a personal financial or business relationship with our parents without full disclosure to the Directors.
- Being aware of confidentiality: no staff member should discuss or disclose personal or confidential information with parents or anyone that this does not directly relate to. All discussions should be appropriate and confidential. Staff should read and understand the School's Data Protection Policy. Staff should also read and understand the section "Record Keeping and Confidentiality" in the School's Child Protection Policy.
- Ensuring that your actions do not bring Moorland School into disrepute and to ensure that no negative comments can be linked to the school through social media networks. Do not use social media or direct contact for inappropriate images or contact with children; liking their pages etc. is not permitted. Please keep your own Social Media identity as locked down as possible, so that children at school cannot find out inappropriate information about you and your family.
- Fulfilling duties and tasks that you are scheduled and committed to, and undertaking all reasonable requests, (*as stipulated in your contracts of employment*), made by the Senior Leadership Team and other colleagues, such as covering duty staff and rearranging shifts where necessary. We have a legal responsibility to manage staff and safeguard the children within our care, to the regulatory standards deemed safe by Ofsted & the ISI.
- Finding time to listen to others' views, and showing respect and empathy.
- Being active and updating understanding of safeguarding issues, including the Prevent Strategy (radicalisation) and FGM.

### **Power and Positions of Trust**

As a result of their knowledge, position and/or the authority invested in their role, all staff working with pupils are in positions of trust in relation to the pupils in their care. Broadly speaking, a relationship of trust can be described as one in which one party is in a position of power or influence over the other by virtue of their work or the nature of their activity. It is vital for all those in positions of trust to understand the power

this can give them over those they care for and the responsibility they must exercise as a consequence of this relationship.

A relationship between a member of staff and a pupil cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable pupils. Members of staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Staff should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with this potential.

## **Expectations of Staff Propriety and**

### **Behaviour**

All adults working at Moorland School have a responsibility to maintain management confidence in their ability to safeguard the welfare and best interests of pupils. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence of management and all those with whom they work.

Staff should understand and be aware, that safe practice involves using judgement and integrity about behaviours in places other than at Moorland. Misuse of drugs, alcohol or acts of violence would be examples of behaviours that could impact on their suitability to work with pupils at Moorland.

### **Dress and Appearance**

A person's dress and appearance are matters of personal choice and self-expression. However, staff should wear clothing which,

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

By dressing appropriately; suits and ties or a smart jacket and trousers for men and dresses or smart trouser suits for women, we show our professionalism and model appropriate standards for pupils, thus aiding respect.

### **Behaviour Management**

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

Staff should not use any form of degrading treatment to punish a child. The use of sarcasm, demeaning or insensitive comments towards pupils is not acceptable in any situation. Any sanctions or rewards used should be part of the *Building Better Behaviour Policy*. The use of corporal punishment is not acceptable in any circumstances.

Where pupils display difficult or challenging behaviour, staff should try to defuse the situation before it escalates and must follow the *Building Better Behaviour Policy*, using strategies appropriate to the circumstance and situation. The use of physical intervention can only be justified in exceptional circumstances and should be used as a last resort when other strategies have failed.

Staff should be mindful of factors which may impact upon a pupil's behaviour, e.g. bullying, abuse and where necessary take appropriate action.

Where a pupil has specific needs in respect of particularly challenging behaviour, a positive handling plan may be drawn up and agreed by all parties. Only in these circumstances should an adult deviate from the *Building Better Behaviour Policy*.

### **Use of Control and Physical Intervention**

There are circumstances in which adults working with difficult pupils can legitimately intervene by using either non-restrictive or restrictive physical interventions. The use of physical intervention should, wherever possible, be avoided. It should only be used to manage a pupil'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 pupil to be controlled and the nature of the harm they may cause. The minimum necessary force should be used. Under no circumstances should physical force or intervention be used as a form of punishment. The **Duty of Care** which applies to all adults working with pupils requires that reasonable measures are taken to prevent pupils being harmed. The use of unwarranted physical force is likely to constitute a criminal offence. In all cases where physical intervention is employed, the incident and subsequent actions should be documented and reported. This should include written and signed accounts of all those involved, including the pupil.

## **BOARDING**

### **Pupils in Distress**

There are some settings where staff have to manage significant occurrences of distress and emotional upset in pupils, for example in Boarding Houses. In these circumstances, professional guidance should be followed and adults should be aware of what is and what is not acceptable behaviour when comforting a pupil or diffusing a situation. This is particularly important when working on a one-to-one basis.

For all staff, there will be occasions when a distressed pupil needs comfort and reassurance and this may involve physical contact. Younger pupils, in particular, may need immediate physical comfort, for example after a fall, separation from parent etc. Staff should use their professional judgement to comfort or reassure a pupil in an age- appropriate way whilst maintaining clear professional boundaries.

Where a member of staff has a particular concern about the need to provide this type of care and reassurance, or is concerned that an action may be misinterpreted, this should be reported and discussed with a senior colleague.

### **Personal Care**

Pupils are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. There are occasions where there will be a need for an appropriate level of supervision in order to safeguard them and/or satisfy health and safety considerations. This supervision should be appropriate to the needs and age of the pupils concerned and sensitive to the potential for embarrassment.

Staff must be vigilant about their own behaviour and be mindful of the needs of the pupils with whom they work.

Staff should:

- avoid any physical contact when pupils are in a state of undress;
- avoid any visually intrusive behaviour;
- always announce their intention of entering a changing room;
- not change in the same place as children;
- not shower or bathe with children;

- not assist with any personal care task which a child or young person can undertake by themselves.

## **CONTACT WITH PUPILS**

### **Professional Distance**

Staff are expected to observe a professional relationship and observe professional boundaries with pupils. This means that they should not allow proper care and interest in a pupil's welfare, interests or academic progress to become a friendship on equal terms or appear to be an indication that a friendship on equal terms is desired or available.

### **Grooming**

Staff must understand the need to maintain appropriate boundaries in their contacts with pupils. They should be aware that social contact in certain situations can be misconstrued as what is known as 'grooming', where the purpose of creating a relationship is to manipulate a child's trust so that inappropriate activity can take place.

### **Communication with Pupils**

Under normal circumstances most communication will be in a professional context: academic matters or school activities. Staff must not give their personal contact details to pupils (including personal e-mail, home or mobile telephone numbers) or communicate with pupils via social media, unless the need to do so is agreed with senior management and with the consent of parents.

### **One-to-one situations**

We encourage our staff to know our pupils as individuals and there will be occasions when they find themselves alone with pupils. It is not realistic to state that one-to-one situations should not take place. But if the need arises then sensible safeguards should be observed. Staff should not make a habit of repeatedly keeping the same individual back after lessons for a discussion about behaviour. They should try to make sure that there is no possibility of an allegation being made against them, for instance by leaving doors open or asking a colleague to be present.

### **Transporting Pupils**

There will be occasions when staff are expected or asked to transport pupils as part of their duties. Adults, who are expected to use their own vehicles for transporting pupils should ensure that the vehicle is roadworthy, appropriately insured and that the maximum capacity is not exceeded. It is a legal requirement that all passengers should wear seat belts and it is the responsibility of the staff member to ensure that this requirement is met. It is inappropriate for staff to offer lifts to a pupil outside their normal working duties, unless this has been brought to the attention of senior management.

There may be occasions where the pupil requires transport in an emergency situation or where not to give a lift may place a pupil at risk. Such circumstances must always be recorded and reported to senior management.

### **Gifts, Rewards and Favouritism**

The giving of gifts or rewards to pupils should only be part of an agreed policy for supporting positive behaviour or recognising particular achievements.

Staff should exercise care when selecting pupils for specific activities or privileges to avoid perceptions of favouritism or unfairness. Methods and criteria for selection should always be transparent and subject to scrutiny.

Care should also be taken to ensure that staff do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

There are occasions when pupils or parents wish to pass small tokens of appreciation to staff, e.g. on special occasions or as a thank you, and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

### **Sexual Contact**

All staff should clearly understand the need to maintain appropriate boundaries in their contacts with pupils. 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.

Pupils are protected by specific legal provisions regardless of whether they consent or not. The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing pupils to engage in or watch sexual activity or the production of pornographic material. *Working Together to Safeguard Children* defines sexual abuse as “*forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening*”.

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 pupil, and manipulate that relationship so sexual abuse can take place. Staff should be aware that consistently conferring inappropriate special attention and favour upon a pupil might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

### **Photography and Videos**

Working with pupils may involve the taking or recording of images. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity, safety and well-being of pupils. Informed written consent from parents should always be sought before an image is taken for any purpose.

Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media, or on the Internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

Adults need to remain sensitive to any pupils who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings. It is not appropriate for adults to take photographs of pupils for their personal use.

### **Safeguarding (Child Protection)**

It is incumbent upon all employees of Moorland School to familiarise themselves with the *Safeguarding (Child Protection) Policy* and the *Whistleblowing Policy*. The latter policy can cause staff some concern because of the evocative nature of the word and the inevitable inferences drawn.

Checks are made on recruitment, via DBS or self-declaration, regarding Disqualification from Childcare. All employees **must** notify the school immediately should there be any change in circumstances which may lead to disqualification under the Childcare (Disqualification Regulations) 2018.

### **Reporting Concerns (Whistleblowing)**

It is the duty of all staff to report any concerns with regard to pupil safety to their line manager or the Designated Safeguarding Leader or Deputy DSL so that appropriate action may be taken. These concerns may cover a range of what may initially seem to be less serious matters as well as obvious breaches of a duty of care: incautious language and behaviour or inappropriate language or behaviour as well as misuse of a relationship of trust or actual abuse of a child.

This duty does not depend upon the person reporting the concern having proof of facts underlying the concern but any concern will be investigated in a fair and neutral manner: that is without any preconception as to whether the concern is or is not justified. The school will support staff reporting concerns where the report is made in good faith.

The above procedures associated with reporting concerns can be used by anyone employed by the School who believes they have reason to suspect that the conduct of an employee is inappropriate (see *Whistleblowing Policy*).

## Low Level Concerns

At Moorland School we recognise the possibility that adults working in the school may harm children, including volunteers, supply teachers and agency staff. Any concerns about the conduct of other adults in the school should be taken to the headteacher without delay; any concerns about the headteacher should go to the Proprietor who can be contacted by telephone or email. Any concerns about the conduct of a member of staff, supply teachers, volunteers or contractors should be reported to the headteacher.

*Concerns may come from various sources, for example, a suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken.*

*The headteacher has to decide whether the concern is an allegation or low-level concern. The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold for referral to the Local Authority Designated Officer (LADO) (see below).*

### *Allegations*

It is an allegation if the person\* has:

- behaved in a way that has harmed a child, or may have harmed a child and/or;
- possibly committed a criminal offence against or related to a child and/or;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children (also includes behaviour outside the school).

(\*Person could be anyone working in the school or a college that provides education for children under 18 years of age, including supply teachers, volunteers and contractors.)

*Allegations should be reported to the LADO 'without delay'.*

Before contacting the LADO, schools and colleges should conduct basic enquiries in line with local procedures to establish the facts to help them determine whether there is any foundation to the allegation, being careful not to jeopardise any future police investigation.

The LADO's role is not to investigate the allegation, but to ensure that an appropriate investigation is carried out, whether that is by the police, children's social care, the school or college, or a combination of these.

### *Low-level Concerns*

Concerns may be graded Low-level if the concern does not meet the criteria for an allegation; and the person\* has acted in a way that is inconsistent with the staff code of conduct, including inappropriate conduct outside of work. Example behaviours include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating or offensive language.

If the concern has been raised via a third party, the headteacher should collect as much evidence as possible by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously;
- to the individual involved and any witnesses.

Reports about supply staff and contractors should be notified to their employers, so any potential patterns of inappropriate behaviour can be identified.

Staff should be encouraged and feel confident to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

Low-level concerns should be recorded in writing, including:

- name\* of individual sharing their concerns
- details of the concern
- context in which the concern arose
- action taken

(\* if the individual wishes to remain anonymous then that should be respected as far as reasonably possible)

Records must be kept confidential, held securely and comply with the Data Protection Act 2018. Schools and colleges should decide how long they retain such information, but it is recommended that it is kept at least until the individual leaves their employment.

Records should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified.

If a concerning pattern of behaviour is identified and now meets the criteria for an allegation, then the matter should be referred to the LADO.

The records' review might identify that there are wider cultural issues within the school or college that enabled the behaviour to occur. This might mean that policies or processes could be revised or extra training delivered to minimise the risk of it happening again.

### **Other applicable policies**

The School has various policies which relate to conduct, to which you are also expected to comply. These policies can be found on the School's website and include key policies such as:

- Safeguarding and Child Protection
- Health and Safety
- ICT and Acceptable Use
- Data Protection and Confidentiality
- Equal Opportunities
- Inclusion, Equality & Diversity
- Whistleblowing
- Safer Recruitment

Failure to comply with this code of conduct may be dealt with as a disciplinary matter and, in the case of a serious breach, could result in dismissal.

*Positivity is infectious, and negativity is divisive and poisonous. If you believe a policy, system or decision is flawed then bring your own constructive suggestion and become part of the solution. Ownership, support, common sense, humour and humility should prevail at Moorland School. As a team we should all ask how we can help to support one another, as ultimately we should ask, what more can we offer the school and children to ensure that we enrich their experience of school life? Please remember that everything is under constant review and therefore subject to an appropriate discussion. **Jonathan Harrison***

**Reviewed and Updated September 2022**