



Staff Behaviour Policy (Code of Conduct)

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Together, pursuing life in all its fullness

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1. INTRODUCTION/PURPOSE

This Code of Conduct is the Diocese of Coventry Multi Academy Trust (the Trust's) Staff Behaviour Policy (Code of Conduct) as required by statutory guidance *Keeping Children Safe in Education* (DfE). It is a core component of the Trust's strategy to fulfil its statutory responsibilities to safeguard and promote the welfare of all pupils/students. The Code of Conduct is referred to throughout the document as 'the Code'.

All employees and volunteers have personal and legal responsibilities that are wider than their safeguarding responsibilities, including treating others with dignity and respect; acting honestly; using public funds and Trust equipment appropriately; adhering to health and safety guidelines; and practising equal opportunities at all times. These expectations are also set out in the Code and should be fully observed by all staff and volunteers, including the Headteacher, Central team and any volunteers permitted to work in the Trust.

Employees and volunteers should ensure they are familiar with other specific policies that underpin these expectations, which are referred to as "Required Reading" throughout the Code.

1.1. Definitions

References made to 'child' and 'children' refer to children and young people under the age of 18 years. However, the principles of the Code apply to professional behaviours towards all pupils, including those over the age of 18 years. 'Child' should therefore be read to mean **any pupil** at the Trust.

References made to adults and staff refer to all those who work with pupils in an educational establishment, in either a paid or unpaid capacity. This would also include, for example, those who are not directly employed by the Trust, e.g., Local Authority staff, independent/peripatetic sports coaches and music tutors, governors, trustees, and volunteers.

The term 'allegation' may be interpreted to include any breach of or failure to comply with this code but will always include safeguarding behaviour that would warrant referral to the Designated Officer (DO) in the respective Local Authority (formerly known as the LADO¹). Please refer to 1.3 below for criteria for referral to the Designated Officer.

1.2. Purpose of the Code of Conduct

The code is intended to 'create and embed a culture of openness, trust and transparency in which the trust and academy values and the expected behaviour set out within it are lived, monitored and reinforced constantly by all staff.

The Code seeks to ensure that the responsibilities of the Trust and education setting leaders towards children and staff are discharged by:

- raising awareness of illegal, unsafe, unprofessional and unwise behaviour;
- clarifying which behaviours constitute safe practice and which behaviours should be avoided;
- assisting staff to monitor their own standards and practice and reduce the risk of allegations being made against them;
- reducing the incidence of positions of trust being abused or misused;
- supporting safer recruitment practice in line with the Safer Recruitment Policy.

It is also recognised that not all people who work with children work as paid or contracted employees. It is important that all adults working with children understand that the nature of their work and the responsibilities related to that work place them in a position of trust. The principles

¹ Working Together to Safeguard Children (DfE) refers to the Designated Officer.
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and guidance outlined in the Code apply and should be followed by any person whose work brings them into contact with children.

The Code is intended to provide a clear message that unacceptable behaviour will not be tolerated and that, where appropriate, legal or disciplinary action is likely to follow. The Trust may refer to the Code in any disciplinary proceedings.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that any guidance cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this Code, or which directly contravene the Code. It is expected that in these circumstances staff will always advise their senior colleagues of the justification for any such action already taken or proposed.

All adults who work with children have a responsibility to be aware of systems within the Trust which support safeguarding, and these should be explained to them as part of staff induction and in regular staff training sessions. That includes this Code, the Academy Safeguarding and Child protection Policy, the academy behaviour policy, the role of the Designated Safeguarding Lead (DSL) and the safeguarding response to children who go missing from education

It is recognised that the vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment which secures the well-being and very best outcomes for children in their care. However, it is also recognised that achieving those aims is not always straightforward, as much relies on child and staff interactions where tensions and misunderstandings can occur. This Code aims to reduce the risk of those misunderstandings.

It must be recognised that some allegations will be genuine as there are people who seek out, create or exploit opportunities to harm children. However, allegations may also be false or misplaced and may arise from differing perceptions of the same event. When they occur, they are inevitably distressing and difficult for all concerned. It is therefore essential that all possible steps are taken to safeguard children and ensure that the adults working with them do so safely.

The designated officer (DO) in the respective Local Authority (formerly known as the LADO²) will be informed within one working day of all allegations that a member of staff or volunteer 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;
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

1.3. Compliance with the Code of Conduct

For Teachers, this Code of Conduct is guidance. The Teachers contractual code of conduct is the Teachers' Standards. For all other staff and volunteers, this document is the contractual Code of Conduct.

Failure to comply with the Code and with the associated Trust policies as highlighted in 'Required Reading' may result in disciplinary action being taken where breaches of the Code warrant such action.

The Code should be provided for all staff and volunteers (either electronically or by providing a paper copy) to read before they commence work at the Trust. Before having any contact with

² Working Together to Safeguard Children (DfE) refers to the Designated Officer. Agencies in Coventry and Warwickshire continue to refer to the LADO (Local Authority Designated Officer).
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pupils, all staff and volunteers should be given an opportunity to discuss the Code with a member of the Academy Leadership Team and ask any questions in order to clarify understanding.

All employees are expected to treat pupils, other colleagues, parents and external contacts with dignity and respect and to comply with all relevant Trust policies including the Equality & Diversity and Dignity at Work policies. Unacceptable behaviour such as discrimination, bullying, harassment or intimidation will not be tolerated in the Trust. This includes physical and verbal abuse and use of inappropriate language or unprofessional behaviour with colleagues, pupils and parents.

1.4. Background

All adults who come into contact with children in their work whether paid or unpaid have a duty of care to safeguard and promote their welfare.

The Education Act 2002 (section 175), the Education (Independent School Standards) Regulations 2014 and the Education (Non-Maintained Special Schools) (England) Regulations 2015 place duties upon all schools and colleges to carry out their duties with regard to safeguarding and promoting the welfare of children.

The Children Act 2004 places a duty on organisations to safeguard and promote the well-being of children and young people. This includes the need to ensure that all adults who work with or on behalf of children and young people in these organisations are competent, confident and safe to do so.

Working Together to Safeguard Children (DfE2018) and Keeping Children Safe in Education (DfE) define safeguarding as 'protecting children from maltreatment; preventing impairment of children's mental and physical health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes'.

The Code has due regard to current legislation and statutory guidance.

1.5. What To Do If You Are Worried a Child Is Being Abused

Staff and volunteers must be familiar with the Academy Safeguarding and Child Protection Policy and the Trust's Whistleblowing Policy. If a member of staff or a volunteer has a concern about a child they should raise that concern with the Academies Designated Safeguarding Lead (DSL) as set out in the Academy Child Protection and Safeguarding Policy

However, concerns about abuse of children by or the conduct of staff members in relation to safeguarding must be referred to the Headteacher using the agreed procedure in the academy (e.g. yellow forms). Concerns about the conduct of the Headteacher should be referred to the Chief Executive Officer. Such referrals can also be made directly to the Designated Officer in the respective Local Authority (formerly known as the LADO) in line with the Academy Child Protection and Safeguarding Policy. Please refer to section 31 'Sharing concerns and recording incidents'.

If, at any point, there is a risk of immediate serious harm to a child a referral should be made to the respective Local Authority Multi-Agency Safeguarding Hub (MASH) or – in extreme circumstances – to the Police directly. Anybody can make a referral. If the child's situation does not appear to be improving the staff member/volunteer with concerns should press for re-consideration.

1.6. Underpinning Principles

- The welfare of the child is paramount
- Staff and volunteers should understand their responsibilities to safeguard and promote the welfare of pupils.
- Staff and volunteers 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 and volunteers should work, and be seen to work, in an open and transparent way.
- Staff and volunteers should report all concerns so they can be recorded.
- Staff and volunteers should discuss and/or take advice promptly from their Line Manager if they have acted in a way which may give rise to concern.
- Staff and volunteers should apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief and sexual orientation.
- Staff and volunteers should not consume or be under the influence of alcohol or any substance, including prescribed medication (when an individual risk assessment must be undertaken and advice sought from Occupational Health, where required), which may affect their ability to care for children.
- Staff and volunteers should be aware that breaches of the law and other professional guidelines could result in disciplinary action being taken against them, criminal action and/or other proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity, or, for acts of serious misconduct by Teachers, prohibition from teaching by the Teaching Regulation Agency (TRA).
- Staff and managers should continually monitor and review practice to ensure this guidance is followed.
- Staff and volunteers should be aware of and understand this Code of Conduct, the academy Safeguarding and Child protection Policy, the academy behaviour policy, the role of the DSL, the safeguarding response to children who go missing from education and the local inter-agency safeguarding procedures established by the local multi-agency partnerships in [Coventry](#) and [Warwickshire](#).

2. CODE OF SAFE WORKING PRACTICE AND APPROPRIATE PROFESSIONAL CONDUCT

2.1. Context

All adults who work with children and young people have a crucial role to play in their lives. They have a unique opportunity to interact with children and young people in ways that are both affirming and inspiring. This guidance has been produced to help them establish the safest possible learning and working environments which safeguard children and reduce the risk of them being falsely accused of improper or unprofessional conduct.

COVID-19 – DfE guidance issued during the COVID-19 pandemic makes it very clear that whilst acknowledging the pressure that schools and colleges are under, it remains essential that as far as possible they and other education settings continue to be safe places for children. This guidance has been updated to support all adults who work in education settings to maintain the safest possible learning and working environments which safeguard children and reduce the risk of staff being falsely accused of improper or unprofessional conduct at times when they may be called upon to work in different ways from the norm, e.g. delivering lessons virtually or online and working with small groups of children in ‘bubbles’.

Whilst every attempt had been made to cover a wide range of situations, it should be recognised that any guidance cannot cover all eventualities. The COVID-19 pandemic with its associated closure of schools to most children is one such example of a circumstance which had not been foreseen and where Government, local authorities, school leaders and staff are having to review and amend guidance rapidly and repeatedly.

In that situation more than ever before, professional judgements may need to be made in situations not covered by existing guidance, or which directly contravene guidance previously issued. In such circumstances, staff are expected always to advise their Headteacher, Designated Safeguarding lead, officer in charge or line manager of the justification for any such action already taken or proposed.

All staff have a responsibility to be aware of systems within their school which support safeguarding and any temporary amendment to these should be explained to them by senior managers. This includes this Staff Behaviour Policy (or Code of Conduct) and the Staff and AGC Member use of Social Networking and Internet Sites Policy/IT Acceptable Use Policy.

3. UNSUITABILITY

The guidance contained in this Code is an attempt to identify what behaviours are expected of staff and volunteers who work with children and young people in or on behalf of the Trust. Adults whose practice deviates from this Code may bring into question their suitability to work with children and young people. The guidance may be used as reference by managers and the Designated Officers in the respective Local Authority when responding to allegations made against *or concerns about the behaviour of* staff in education and early years settings.

4. DUTY OF CARE

All adults who work with and on behalf of children are accountable for the way in which they exercise authority; manage risk; use resources; and safeguard children and young people.

Whether working in a paid or voluntary capacity, those adults have a responsibility to keep children and young people safe and to protect them from sexual, physical and emotional harm, neglect and contextual safeguarding concerns including sexual and criminal exploitation and Radicalisation. . Children and young people have a right to be safe and to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure the safety and well-being of children and young people. Failure to do so may be regarded as professional misconduct.

The safeguarding culture of an academy is, in part, exercised through the development of respectful, caring and professional relationships between adults and children and young people. It is also exercised through the behaviour of adults, which at all times should demonstrate integrity, maturity and good judgement.

The public, local authorities, employers and parents/carers will have expectations about the nature of professional involvement in the lives of children and young people. When individuals accept a role working in an education or early years setting, they should understand and acknowledge the responsibilities and trust involved in that role.

Employers also have a duty of care towards their employees, both paid and unpaid, under Health and Safety legislation which requires them to provide a safe working environment for staff.

Legislation also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings. Health and Safety duties and the adults' responsibilities towards children should not conflict. Safe practice can be demonstrated through the use and implementation of this guidance.

5. MAKING PROFESSIONAL JUDGEMENTS

This guidance cannot provide a complete checklist of what is or is not appropriate behaviour for employees and volunteers in all circumstances. It does highlight, however, behaviour which is illegal, inappropriate, or inadvisable. There will be rare occasions and circumstances in which employees or volunteers have to make decisions or take action in the best interests of a pupil/student which could contravene this guidance or where no guidance exists. Individual members of staff and volunteers are expected to make judgements about their behaviour in order to secure the best interests and welfare of the pupils/students in their charge and, in so doing, will be seen to be acting reasonably. Such judgements, in those circumstances, should always be recorded and shared with a senior manager. Staff and volunteers should always consider whether their actions are warranted, proportionate, safe, and applied equitably.

6. POWER AND POSITIONS OF TRUST AND AUTHORITY

As a result of their knowledge, position and/or the authority invested in their role, all adults working with children in a school are in positions of trust in relation to those children.

The relationship between an adult working with a child/ren is one in which the adult has a position of power or influence. It is vital for all such adults to understand this power; that the relationship cannot be one between equals and the responsibility they must exercise as a consequence.

The potential for exploitation and harm of vulnerable children and young people means that adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Employees and volunteers should always maintain appropriate professional boundaries and avoid behaviour which could be misinterpreted by others. They should report and record any such incident. This is as relevant in the online world as it is in the classroom. Staff engaging with pupils and/or parents online have a responsibility to model safe practice at all times. Please also see sections 12 & 13.

Where a person aged 18 or over is in a specified position of trust with a child under 18, it is 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.

7. CONFIDENTIALITY

The storing and processing of personal information is governed by the General Data Protection Regulations 2017 (GDPR) and Data Protection Act 2018. Employers should provide clear advice to employees and volunteers about their responsibilities under this legislation so that, when considering sharing confidential information, those principles are applied. The guidelines are contained within the Trust's Data Protection Policy.

Employees and volunteers may have access to special category personal data about children, young people and their families which must be kept confidential at all times and only shared when legally permissible to do so and in the interests of the child or young person. Records should only be shared with those who have a legitimate professional need to see them.

Employees and volunteers should never use confidential or personal information about a pupil or their family for their own, or others' advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, or embarrass the child. Confidential information should never be used casually in conversation or shared with any person other than on a need-to-know basis. In circumstances where the child's identity does not need to be disclosed, the information should be used anonymously.

There are some circumstances in which an employee or volunteer may be expected to share information about a child, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay but only to those with designated safeguarding responsibilities or to statutory services.

If a child – or their parent / carer – makes a disclosure regarding abuse or neglect, the member of staff or volunteer should follow the Trust's procedures. Whilst employees and volunteers need to be aware of the need to listen to and support children and young people, they must also understand the importance of not promising a child or parent/carers that they will keep secrets that relate in any way to the safety or well-being of any individual but should give reassurance that the information will be treated sensitively.

If a member of staff or volunteer is in any doubt about whether to share information or keep it confidential, he or she should seek guidance from the Designated Safeguarding Lead (DSL). Any media or legal enquiries should be passed to senior management.

Additionally, concerns and allegations about adults should be treated as confidential and passed to the Headteacher (or the Chief Executive Officer if the concerns are about the Headteacher) without delay.

There are circumstances in which staff are obliged to release pupil data, e.g., parents seeking information about pupil progress or other colleagues in the trust.

Everyone has the right to request access to data that is held about them, and such requests should be made in accordance with the Subject Access Request Policy.

8. STANDARDS OF BEHAVIOUR

All employees and volunteers have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. They should adopt high standards of personal conduct in order to maintain the confidence and respect of the general public and all those with whom they work.

This includes the way in which staff and volunteers speak to pupils/students. A positive, respectful, and encouraging tone should be used at all times. Where it is necessary to challenge inappropriate behaviour or to get pupils/students' attention, it is reasonable for staff and volunteers to raise their voices and/or use an authoritative tone. However, it is not appropriate for employees/volunteers to shout at pupils/students habitually or speak to them disrespectfully.

Employees/volunteers should never set out to cause a pupil/student to feel frightened, ashamed, or humiliated. Admonishments should focus on behaviour rather than the pupil/student's personality or character and targets for desired behaviour should be described by the member of staff or volunteer.

Employees and volunteers should refer to pupils/students by name. Disrespectful nicknames, words and terms should be avoided. Staff and volunteers should exercise caution in referring to pupils/students by affectionate nicknames and more general terms of endearment or familiarity such as 'Dear, Love, Petal, Mate, Dude'.

Employees and volunteers should be aware that use of such terms might cause some pupils/students to feel confused and/or uncomfortable, could be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

If members of staff or volunteers choose to speak to pupils/students using such informal language, they should ensure it is not reserved for particular individuals in order to avoid any allegations of favouritism or concern about grooming behaviour. Staff and volunteers should be

particularly careful not to refer to pupils/students using words that are specifically associated with grooming such as 'Sweetheart, Princess, Angel, Darling'.

Employees and volunteers should understand and comply with the expectations of them in relation to their use of and behaviour when using telephones (both landline and mobile) when working with children on the Trust site and during offsite visits and residentials.

There may be times when an employee or volunteer's behaviour or actions in their personal life come under scrutiny from local communities, the media, or public authorities, including with regard to their own children, or children or adults in the community. This could be because their behaviour is considered to compromise their position in the Trust or indicates an unsuitability to work with children or young people. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

Employees and volunteers should therefore understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting. That includes behaviours on social media websites and other online behaviours in line with the Staff/AGC Member use of Social Networking and Internet Sites Policy.

Employees and volunteers should be aware that any such behaviour, either in or out of the workplace, could compromise their position within the work setting in relation to the protection of children, loss of trust and confidence, or bringing the Trust into disrepute. Such behaviour may also result in prohibition from teaching by the Teaching Regulation Agency (TRA), a bar from engaging in regulated activity, or action by another relevant regulatory body.

The Childcare (Disqualification) Regulations 2018 set out grounds for disqualification under the Childcare Act 2006 where an individual meets certain criteria set out in the Regulations. For example, an individual will be disqualified where they have committed a relevant offence against a child; been subject to a specified order relating to the care of a child; committed certain serious sexual or physical offences against an adult; been included on the DBS children's barred list; been made subject to a disqualification order by the court; previously been refused registration as a childcare provider or provider or manager of a children's home or had such registration cancelled.

A disqualified person is prohibited from providing relevant early or later years childcare as defined in the Childcare Act 2006 or being directly concerned in the management of such childcare. Schools and private childcare settings are also prohibited from employing a disqualified person in respect of relevant early or later years childcare.

The Disqualification under the Childcare Act 2006 (Regulations 2018) state that schools should make clear their expectation that staff should disclose any relationship or association (in the real world or online) that may impact on the Trust's ability to safeguard pupils. This applies to all staff in the Trust.

Staff are expected to inform the Trust in writing or in discussion with the Headteacher about any such matter which might have implications for the safeguarding of children in the trust so that the Trust can safeguard the welfare of the member of staff as well as pupils/students.

9. DRESS AND APPEARANCE

A person's dress and appearance are matters of personal choice and self-expression and some individuals will wish to exercise their own cultural customs. However, employees and volunteers should select a manner of dress and appearance appropriate to their professional role and those may need to be different to how they dress when not at work. That also applies to online or virtual teaching or when working with smaller groups than usual on site.

Employees and volunteers should ensure they are dressed decently, safely, and appropriately for the tasks and work they undertake. Those who dress or appear in a manner which could be viewed as offensive, inappropriate or provocative will render themselves vulnerable to criticism or allegation.

10. GIFTS, REWARDS, FAVOURITISM AND EXCLUSION

The giving of gifts or rewards to pupils/students should be in accordance with agreed practice, consistent with the Academy behaviour policy, recorded and not based on favouritism. In some situations, the giving of gifts as rewards may be accepted practice for a group of children, whilst in other situations the giving of a gift to an individual child or young person will be part of an agreed plan, which is recorded and discussed with a senior leader and parents/carers.

There may be specific occasions, such as when a pupil/student suffers a serious illness or accident, when staff or volunteers may wish to give a child or young person a gift. However, staff and volunteers need to be aware that the giving of gifts could be interpreted by others as a gesture either to bribe or groom. It might also be perceived that a 'favour' of some kind is expected in return.

It is therefore recommended that when gifts are given in specific circumstances, they should be given by the whole staff group or by groups of staff (e.g. a vocational department) or on behalf of the whole academy, in line with the agreed policy, by agreement with a senior manager and the action should be recorded.

Staff and volunteers should exercise care when selecting children and/or young people for specific activities, jobs or privileges in order to avoid perceptions of favouritism, unfairness or injustice. Similar care should be exercised when pupils are excluded from an activity. Methods and criteria for selection and exclusion should always be subject to clear, fair, agreed criteria and subject to scrutiny.

Staff and volunteers should take care to ensure that they 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 children, young people or parents may wish to pass small tokens of appreciation to staff and volunteers, e.g., to mark a special achievement, occasion or religious festival or as a thank you and this is usually acceptable. However, it is unacceptable for staff or volunteers to receive gifts on a regular basis or that are of any significant value.

Refer to the Trust Gifts and Hospitality Policy in relation to the giving or receipt of Gifts and Hospitality in relation to staff or volunteers.

11. INFATUATIONS AND “CRUSHES”

All staff and volunteers need to recognise that it is not uncommon for a child or young person to be strongly attracted to an adult who works with them and/or develop a 'crush' or infatuation. They should make every effort to ensure that their own behaviour cannot be brought into question, does not appear to encourage this and be aware that such infatuations may carry a risk of their words or actions being misinterpreted.

Any member of staff or volunteer who receives a report, overhears something, or otherwise notices any sign, however small or seemingly insignificant, that a child or young person has become or may be becoming infatuated with either themselves or a colleague, should immediately report this to the Headteacher. In this way appropriate early intervention can be taken which can prevent escalation and avoid hurt, embarrassment or distress for those concerned.

The Headteacher (or Academy Governance Committee Chair) should give careful thought to those circumstances where the staff member/volunteer, child or young person and their parents/carers should be spoken to and should ensure a plan to manage the situation is put in place. This plan should respond sensitively to the child and staff member/volunteer and maintain the dignity of all. This plan should involve all parties, be robust, regularly monitored and reviewed.

12. SOCIAL CONTACT OUTSIDE OF THE WORKPLACE

Members of staff and volunteers should not establish or seek to establish social contact with pupils/students or their families for the purposes of securing a friendship or to pursue or strengthen a relationship.

However, it is acknowledged that staff and volunteers may have relationships and social contact (including the use of social media) with parents/carers of pupils/students, independent of the professional relationship, such as when a parent and teacher are part of the same family/personal network. Those circumstances will usually be easily recognised, openly acknowledged and should be explicitly declared in writing by staff/volunteers to the Headteacher/Line Manager. Members of staff and volunteers should always take care to maintain appropriate personal and professional boundaries in any such circumstances.

Furthermore, staff and volunteers should also be aware that professionals who sexually harm children often seek to establish relationships and contact outside of the workplace with both the child and their parents, in order to 'groom' the adult and the child and/or create opportunities for sexual abuse.

It is also important to recognise that social contact may provide opportunities for other types of grooming such as for the purposes of sexual exploitation or radicalisation. Staff and volunteers should therefore be aware that social contact in certain situations could be misconstrued as grooming.

If a pupil/student or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff or volunteer should exercise her/his professional judgement in making a response but should always discuss the situation with their manager and, if advised to do so by their manager, with the parent of the child or young person.

This also applies to social contacts made through outside interests or the staff member/volunteer's own family.

Some staff and volunteers may, as part of their professional role, be required to support a parent or carer, for instance when initiating an Early Help assessment or supporting a parent who experiences difficulties in managing their child's behaviour or a personal crisis such as bereavement, domestic abuse or a relationship breakdown.

Care needs to be exercised in those situations where the parent comes to depend upon the member of staff for support outside their professional role. This situation should be discussed with senior management and, where necessary, referrals made to the appropriate support agency.

13. COMMUNICATION WITH CHILDREN, YOUNG PEOPLE AND THEIR PARENTS/CARERS (INCLUDING THE USE OF TECHNOLOGY)

In order to make best use of the many educational and social benefits of new and emerging technologies, pupils need opportunities to use and explore the digital world. Online safety risks are posed more by behaviours and values than the technology itself.

Staff should ensure that they establish safe and responsible online behaviours, working to local and national guidelines and acceptable use policies which detail how new and emerging technologies may be used. Communication with children both in the 'real' world and through web based and telecommunication interactions should take place within clear and explicit professional boundaries. This includes the use of computers, tablets, phones, texts, Emails, instant messages, social media such as Facebook and Twitter, chatrooms, forums, blogs, websites, gaming sites, digital cameras, videos, web-cams and other handheld devices. N.B. Given the ever-changing world of technology it should be noted that this list gives examples only and is not exhaustive.

Staff/volunteers who communicate with pupils/students and their parents using Email, telephone, text, or social networking should only do so for professional purposes and by use of Trust accounts and Trust owned IT equipment.

Staff should not request or respond to any personal information from pupils/students or their parents other than which may be necessary in their professional role. They should ensure that their communications are open and transparent and avoid any communication which could be interpreted as 'grooming behaviour'.

Staff and volunteers should not seek contact with or respond to requests for contact from pupils/students or their parents via personal telephone, text, Email or social networking accounts and should not therefore give their personal contact details, e.g. email address, home or mobile telephone numbers, details of web-based identities to pupils/students or their parents. If pupils/students or their parents locate these by any other means and attempt to contact or correspond with a staff member or volunteer, the latter should not respond and must report the matter to their Line Manager.

The pupils/student/parent should be firmly and politely informed that this is not acceptable.

Staff should, in any communication with children, also follow the guidance in section 'Standards of Behaviour'.

Staff should adhere to the Trust policies, including those with regard to communication with parents and carers and the information they share when using the internet.

Email, text or social networking communications between a member of staff or volunteer and a pupil/student/parent outside this Code and agreed protocols may lead to disciplinary and/or criminal investigations.

Trust email and social networking accounts should only be used in accordance with the Trust's IT Acceptable Use Policy and Staff/AGC Member use of Social Networking and Internet Sites Policy.

14. USE OF TECHNOLOGY FOR ONLINE/VIRTUAL TEACHING

. There has been a sharp increase in the use of technology for remote learning since March 2020 and this section provides further guidelines for staff and Trust leaders in relation to online and virtual teaching; and online/virtual communication with pupils and parents for teaching and/or welfare purposes.

When delivering online/virtual lessons on a one-to-one basis or communicating with individual children via video chat, staff will speak to parents/carers before lessons/conversations commence and when they finish before logging off. Parents/carers should be asked to ensure that a responsible adult remains in the room or in close proximity.

Staff delivering online/virtual teaching or communicating with children via video chat will be expected to display the same standards of dress and conduct that they would when working face

to face in the academy, modelling appropriate behaviour and presentation to pupils/students and parents.

Below are other issues that staff need to take into account when delivering online/virtual lessons or communicating with children online, particularly where webcams are used:

- Staff and children must be fully dressed and wear suitable clothing, as should anyone else in the household.
- Any computers used should be in appropriate areas, for example not in bedrooms; and the background used by staff should be blurred. If it is not possible to blur the background, staff must consider what children can see in the background and whether it would be appropriate in a classroom. This includes photographs, artwork, identifying features, mirrors etc.
- Staff will ensure that resources and videos used are age appropriate – in the event that a child feels distressed or anxious about content, they may not have support readily available at home.
- Live classes will be kept to a reasonable length of time so that children do not have too much screen time and in order to minimise disruption for the family.
- Language must be professional and appropriate, including that used by any family members in the background.
- Staff must only use platforms specified by senior managers and approved by the Trust's ICT Manager/Co-ordinator for communication with pupils/students.
- Staff should make a written record of the length, time, date and attendance of any sessions held.
- Internet filters at a child's home may be set at a threshold which is different to that in use at the Trust.

It is the responsibility of the staff member to act as a moderator, raising any issues of suitability (of dress, setting, behaviour) with the child and/or parent immediately and ending the online interaction if necessary. The staff member should make a written record of the incident and share it with the DSL or their Line Manager depending on the nature of the incident.

If a staff member believes that a child or parent is recording the interaction, the lesson should be brought to an end or the child should be logged out immediately.

In rare and exceptional circumstances where staff urgently need to contact a pupil or parent by telephone and do not have access to a Trust-owned device, they will discuss this with a senior member of staff. If it is agreed there is no alternative to using a personally owned device, staff members will always use 'caller withheld' to ensure the pupil and/or parent is not able to identify the staff member's personal contact details. This will be confirmed to staff members in writing.

15. USE OF SOCIAL MEDIA, PERSONAL WEBSITES AND BLOGS BY STAFF AND VOLUNTEERS ON TRUST PREMISES, WHILE ON OFFICIAL DUTY AND OUTSIDE WORK

There are a number of ways in which staff and volunteers may use social media, personal websites and blogs for different purposes:

- For work related purposes using Trust equipment and accounts either on Trust premises or offsite. Access to some journals, blogs and social networking sites is permitted for these purposes;
- For personal (i.e., not work related) purposes using Trust equipment and accounts either on Trust premises or offsite; as per the Staff/AGC Member Use of Social Networking and Internet Sites Policy/IT Acceptable Use Policy;
- For personal (i.e., not work related) purposes using personally owned devices and accounts during work time; as per the Homeworking policy;

- For personal (i.e. not work related) purposes using personally owned devices outside work time.

All such usage is subject to the Trust's IT Acceptable Use Policy (AUP) and/or the Staff/AGC Member Use of Social Networking and Internet Sites Policy, which may restrict or prohibit some of the above, and this Code.

The Trust must ensure that confidentiality and its reputation are protected. Therefore, in all uses (both Trust and personally owned) of social media, websites, blogs etc., all staff and volunteers must:

- always act in the best interests of the Trust;
- not make any defamatory remarks about the Trust; pupils/students; staff or volunteers; parents/ carers; associated professionals or contractors; or conduct themselves in way that is detrimental to the reputation of the Trust;
- must not disclose personal data or information about the Trust; pupils/students; staff or volunteers; parents/carers; associated professionals or contractors that could breach the Data Protection Act 2018 or GDPR, for example, posting photographs or images of pupils/students or colleagues.

The Trust respects employees' and volunteers' rights to a private life. However, employees who wish to set up personal web forums, websites or "blogs" must do so outside of work and not use Trust equipment for the purpose.

In addition to the above expectations, employees and volunteers using personal social media accounts, websites, web forums or "blogs" must:

- refrain from identifying themselves as working for the Trust in a way which has, or may have, the effect of bringing the Trust into disrepute;
- not identify other Trust employees, volunteers or pupils;
- not allow pupils/students or their parents/carers to access their personal protected social networking accounts;
- when they are contacted by a pupil or parent/carers, bring that to the attention of the Headteacher at the earliest opportunity.

Any breach of these expectations may lead to disciplinary action.

16. PHYSICAL CONTACT

There are occasions when it is entirely appropriate and proper for staff and volunteers to have physical contact with pupils/students with whom they are working. However, it is crucial that they only touch children in ways which are necessary and appropriate to their professional or agreed role and responsibilities and in relation to the pupil's individual needs and any agreed care plan.

There may be some occasions when staff or volunteers consider that a distressed child needing comfort and reassurance requires physical contact. Young children, in particular, may need immediate physical comfort, for example after a fall, separation from a parent etc. Staff and volunteers should use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries.

However, it is important to emphasise that not all children and young people feel comfortable about physical contact. This should be recognised and, wherever possible, adults should seek the pupil's permission before initiating contact and be sensitive to any signs that they may be uncomfortable or embarrassed. Staff and volunteers should acknowledge that some pupils are more comfortable with touch than others and/or may be more comfortable with touch from some adults than others. Staff and volunteers should listen, observe and take note of the child's

reaction or feelings and so far, as is possible, use a level of contact and/or form of communication which is acceptable to the pupil.

Where a member of staff or volunteer has a particular concern about the need to provide comfort or reassurance that includes physical contact, or is concerned that an action may be misinterpreted, this should be reported and discussed with a senior manager, who will make a judgement about when and how to inform parents/carers. It is important that staff and volunteers take particular care when working with a pupil/student on a one-to-one basis.

It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child.

Any physical contact should be in response to the child's needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity, and background. Adults should, therefore, use their professional judgement at all times.

Physical contact should never be secretive; or for the gratification of the member of staff or volunteer or represent a misuse of authority. If a member of staff or volunteer believes that an action by them or a colleague could be misinterpreted, or if an action is observed which is possibly abusive, the incident and circumstances should be reported immediately to the Headteacher, and an appropriate record made. Where appropriate, the Headteacher should consult with the Designated Officer (DO) in the respective Local Authority).

Extra caution may be required where it is known that a child has suffered previous abuse or neglect. It is the Headteacher and DSL's responsibility to ensure that all adults working with pupils who have experienced circumstances such as this (and/or any other context that may impact on how best to support them and how colleagues carry out their role) are fully informed and appropriately trained.

Staff and volunteers need to be aware that the child may associate physical contact with such experiences. They should also recognise that these pupils may seek out inappropriate physical contact. In all circumstances where a child or young person initiates inappropriate physical contact, it is the responsibility of the adult to deter the child sensitively and help them understand the importance of personal boundaries. Such circumstances must always be reported and discussed with the Headteacher and the parent/carer.

Where a child seeks or initiates inappropriate physical contact with a member of staff or volunteer, the situation should be handled sensitively and care taken to ensure that contact is not exploited in any way. Careful consideration must be given to the needs of the pupil/student and advice and support given to the member of staff or volunteer concerned.

A general culture of 'safe touch' should be adopted, where appropriate, to the individual requirements of each child.

'Touch' as a form of Physical Intervention designed to prevent a child or others from being injured or to protect property from being damaged; and the use of 'Touch' to enable staff/carers to demonstrate affection, acceptance and reassurance.

Staff are supported to work safely with children and young people and therefore appropriately trained and advised.

Physical touch is an essential part of human relationships and when working in schools staff may need to have physical contact with the children and young people they are caring for. There are occasions where it is entirely appropriate for staff to have some physical contact with the children and young people - however, it is crucial that in all circumstances, staff only touch children in ways which are appropriate to their professional or agreed role and responsibilities. Touch can be

used to facilitate relaxation or enable the child or young person to enjoy a positive emotional experience.

It is important that staff working with children and young people should act in the same way as a caring parent would, i.e. when making physical contact with a child this should only be in response to their needs at the time, for a limited duration.

Pupils with special educational needs or disabilities may require more physical contact to assist their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the pupil's needs, consistently applied and open to scrutiny.

Physical contact which occurs regularly with an individual pupil/student is likely to raise questions unless there is explicit agreement on the need for, and nature of, that contact. This would then be part of a formally agreed and written plan or within the parameters of established, agreed and legal professional protocols on physical contact, e.g., sport activities or medical procedures. Any such arrangements should be understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny.

17. OTHER ACTIVITIES THAT REQUIRE PHYSICAL CONTACT

Members of staff and volunteers who work in certain curriculum areas, such as PE, drama, music or outdoor activities, may need to initiate some physical contact with pupils/students, for example to demonstrate technique in the use of a particular piece of equipment, adjust posture, or perhaps to support a pupil/student so they can perform an activity safely or prevent injury. Such activities should be carried out in accordance with existing regulations and best practice. Guidance and protocols around safe and appropriate physical contact may be provided, for example, by sports governing bodies or major arts organisations and should be understood and applied consistently.

Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment, where possible, i.e., one easily observed by others and last for the minimum time necessary. The extent of the contact should be made clear and undertaken with the permission of the pupil/student. Contact should be relevant to their age and level of understanding and adults should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil/student.

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.

It is good practice that all parties clearly understand at the outset what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers and pupils/students informed of the extent and nature of any physical contact may also prevent allegations of misconduct or abuse arising.

18. INTIMATE/PERSONAL CARE

Please refer to the Trust Intimate Care Policy which ensures that the health, safety, independence, and welfare of children are promoted, and their dignity and privacy are respected. Arrangements for intimate and personal care should be open and transparent and accompanied by recording systems.

Pupils/students should be encouraged to act as independently as possible and to undertake as much of their own personal care as is possible and practicable. When assistance is required, this should normally be undertaken by one member of staff. However, another appropriate adult who is aware of the task to be undertaken should always be in the vicinity, have a line of sight to the child and/or be able to hear the interaction. This will be agreed in advance. Intimate or personal

care procedures should not involve more than one member of staff unless the pupil's care plan specifies the reason for this.

The emotional responses of any child to intimate care should be carefully and sensitively observed and, where necessary, any concerns passed to senior managers and/or parents/carers.

A signed record should be kept of all intimate and personal care tasks undertaken and, where these have been carried out in another room, should include times when the pupil/student and staff members left and returned.

Any vulnerability, including those that may arise from a physical or learning difficulty, should be considered when formulating the individual pupil's care plan. The views of parents, carers and the pupil/student, regardless of their age and understanding, should be actively sought in formulating the plan and in the necessary regular reviews of these arrangements. Any changes to the care plan should be made in writing and without delay, even if the change in arrangements is temporary, e.g., staff shortages, changes to staff rotas during partial Trust closures, etc.

Intimate and personal care should not be carried out by an adult that the child does not know. Anyone undertaking intimate/personal care in an education setting is in regulated activity and must have been checked against the relevant DBS barred list, even if the activity only happens once. That includes volunteers. Volunteers and visiting staff from other schools should not undertake care procedures without appropriate training.

Pupils are entitled to respect and privacy at all times and especially when in a state of undress, including, for example, when changing, toileting and showering. However, there needs to be an appropriate level of supervision in order to safeguard pupils, 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 children or young people concerned and sensitive to the potential for embarrassment.

When supervising children or young people who are in the course of dressing or undressing as part of curriculum activities such as sport, swimming, dance or drama; or while engaged in a residential visit, staff and volunteers need to seek a balance between safeguarding pupils/students, for instance by ensuring that bullying does not take place, while respecting pupils/students' entitlement to privacy when changing and in a state of undress. Staff should therefore announce their intention of entering a changing room or dormitory, maintain a brisk and business-like presence but avoid lingering in the room, looking at and any form of physical contact with a pupil/student while they are in a state of undress.

19. BEHAVIOUR MANAGEMENT

All children and young people have a right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour. Corporal punishment and smacking are unlawful in all schools and early years' settings.

Staff and volunteers should promote and reinforce positive behaviour and expectations from pupils/students. They should remain professional with regards to their behaviour and use of language with pupils/students. Any sanctions or rewards used should be part of the Academy Behaviour Policy which is widely publicised and regularly reviewed.

Where pupils/students display difficult or challenging behaviour, staff and volunteers must follow the Academy Behaviour Policy, using 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.

Where a pupil/student has specific needs in respect of particularly challenging behaviour, a positive handling plan, including an assessment of risk, should be drawn up and agreed by all parties including, when appropriate, a medical officer.

The Academy Senior Leadership Team should ensure that the Academy Behaviour Policy includes clear guidance about the use of isolation and seclusion during lesson times. The legislation on these strategies is complex and staff should take extreme care to avoid any practice that could be viewed as unlawful, a breach of the pupil's human rights and/or false imprisonment.

20. THE USE OF CONTROL AND PHYSICAL INTERVENTION

There are circumstances in which adults working with children displaying extreme behaviours can legitimately intervene by using either non-restrictive or restrictive physical interventions. This is a complex area and staff, volunteers and the Trust must have regard to government guidance and legislation and local guidance produced by Coventry City Council and Warwickshire County Council as well as the Academy Behaviour and Child Protection and Safeguarding policies.

The law and guidance for schools states that adults may reasonably intervene to prevent a child from:

- committing a criminal offence
- injuring themselves or others
- causing damage to property
- engaging in behaviour prejudicial to good order and to maintain good order and discipline.

Great care must be exercised in order that adults do not physically intervene in a manner which could be considered unlawful.

Under no circumstances should physical force be used as a form of punishment. The use of unwarranted or disproportionate physical force is likely to constitute a criminal offence and will be reported and investigated in line with the Warwickshire Safeguarding Board inter-agency 'Allegations against staff or persons in positions of trust' and relevant Coventry Safeguarding procedures.

When physical intervention is used it should be undertaken in such a way that maintains the safety and dignity of all concerned. Where the Trust or setting judges that a child's behaviour presents a serious risk to themselves or others, a robust risk assessment, which is reviewed regularly, must always be put in place.

Similarly, where it can be anticipated that physical intervention is likely to be required, individual care plans, drawn up in consultation with parents/carers and where appropriate, the pupil/student, should set out the strategies and techniques to be used and those which should be avoided. Parental consent does not permit settings to use unlawful physical intervention or deprive a pupil of their liberty.

In academies where restrictive physical interventions may need to be employed regularly, i.e., where staff or volunteers are working with pupils/students with extreme behaviours associated with emotional difficulties, learning disabilities or autistic spectrum disorders, the refer to the Trust Use of Force and Physical Intervention Guidance, as part of a wider behaviour management policy.

In all cases where physical intervention occurs the incident and subsequent actions should be documented and reported. This should include written and signed accounts of all those involved, including the pupil/student. The parents/carers should be informed on the same day.

21. SEXUAL CONDUCT

Any sexual behaviour by a member of staff or volunteer with or towards a pupil is unacceptable.

Pupils are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions depending on their age and understanding. This includes the prohibition of sexual activity with children by adults in a position of trust. It is an offence for a member of staff in a position of trust to engage in sexual activity with a pupil under 18 years of age.

Any sexual activity between a member of staff or volunteer with a pupil/student irrespective of the latter's age will always be regarded as a grave breach of trust and a matter for disciplinary action.

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 children to engage in or watch sexual activity or the production of pornographic material. 'Working Together to Safeguard Children' (DfE), 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".

Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable.

All members of staff and volunteers should therefore clearly understand the need to maintain appropriate boundaries in their contacts with children and young people.

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 and manipulate that relationship so sexual abuse can take place. All staff and volunteers should undertake appropriate training so they are fully aware of those behaviours that may constitute 'grooming' and of their responsibility always to report to the Headteacher any concerns about the behaviour of a colleague which could indicate that a pupil is being groomed.

Staff and volunteers should also therefore be aware that conferring inappropriate special attention and favour upon a pupil/student might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

This means that members of staff and volunteers should:

- not have any form of sexual contact with a pupil from the Trust or Academy;
- avoid any form of touch or comment which is, or may be considered to be indecent;
- not have sexual relationships with children and young people;
- not have any form of communication with a child or young person which could be interpreted as sexually suggestive, provocative or give rise to speculation, e.g., verbal comments, letters, notes, (in writing or via text, Email or social media), phone calls, physical contact;
- not make sexual remarks to, or about, a child/young person;
- not discuss sexual matters with or in the presence of children or young people other than within agreed curriculum content or as part of their recognised job role;
- ensure that their relationships with children and young people 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.

Attitudes, demeanour, and language all require care and thought, particularly when members of staff are dealing with adolescent boys and girls.

22. ONE TO ONE SITUATIONS

The Trust and all those who work within it have a responsibility to prepare for and make appropriate arrangements for situations in which staff or volunteers including staff from external organisations might find themselves working with pupils/students on a one-to-one basis.

It is not realistic to state that one-to-one situations should never take place. However, it is appropriate to state that where there is a need, which has been agreed with a senior leader and/or parents/carers, for an adult to be alone with a child or young person, certain procedures and explicit safeguards must be in place. Wherever possible there should be a fully recorded discussion between the member of staff and their manager as to the reasons for this.

To safeguard both pupils and adults, a risk assessment in relation to the specific nature and implications of the one-to-one work should always be undertaken. Each assessment should take into account the individual needs of each pupil; safety arrangements for the pupil and adult; and should be agreed and reviewed regularly. Staff and volunteers should maintain an awareness of any areas of the Trust or setting which may place themselves or pupils/students in vulnerable situations.

Risk Assessments will be carried out by an appropriately trained person and signed off by the Headteacher.

One to one situations have the potential to make a child/young person more vulnerable to harm by those who seek to exploit their position of trust. Staff or volunteers working on a one-to-one basis with pupils/students may also be more vulnerable to allegations or complaints being made against them. Both possibilities should be recognised so that when one to one situations are unavoidable, reasonable and sensible precautions are taken. These might include, for example, staff and volunteers working on a one-to-one basis in visible areas; in rooms with doors left open; in alcoves/corridors which afford some quiet and privacy but facilitate other adults passing by periodically; and ensuring that all rooms and areas in which one to one work might take place have observation windows, where possible. Every attempt should be made to ensure the safety and security of pupils/students and the staff and volunteers who work with them.

Arranging to meet with pupils from the Trust or setting away from the Trust premises should not be permitted unless the necessity for this is clear and approval is obtained from the Headteacher or other senior colleague with delegated authority, the pupil and their parents/carers.

In the event of further/future Trust closures, the DfE suggests that if there is only one vulnerable child or child of a critical worker in the Academy, the Academy should consider closing, and liaise with the respective local authority to identify alternative provision, e.g., at a local hub. If the Academy must remain open with only one or two children, there should be more than one member of staff to meet fire safety, first aid, supervision, and other emergency procedures.

This means Academy leaders should:

- keep pupil numbers under constant review;
- ensure that risk assessments and emergency procedures are reviewed in the event of lone working and/or very small numbers on site;
- liaise with the respective Local Authority on suitable alternative provision if the Academy needs to close due to very low pupil numbers

This means that staff and volunteers should:

- work one to one with a child only when absolutely necessary and with the knowledge and consent of senior leaders and parents/carers;
- be aware of relevant risk assessments, policies and procedures;
- ensure that there is visual access and/or an open door in one-to-one situations, where possible;

- ensure that when lone working is an integral part of their role, full and appropriate risk assessments have been conducted and agreed;
- avoid meetings with a child or young person in remote, secluded areas;
- always inform other colleagues and/or parents/carers about the contact(s) 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, anxious or angry to a senior colleague;
- carefully consider the needs and circumstances of the pupil/student involved when in one to one situations.

23. HOME VISITS

All work with pupils and parents should, wherever possible, be undertaken in the Academy or setting or other recognised workplace. However, there are occasions when it is necessary to make one-off or regular home visits in response to urgent, planned, or specific situations.

In occasional and/or exceptional circumstances, staff may be asked to undertake welfare visits. The Trust will operate in accordance with advice from DfE, Coventry Safeguarding Board, Warwickshire Safeguarding and/or the respective local authority when deciding whether such home visits are necessary and desirable in children's best interests. Staff will normally undertake home visits with a colleague. Parents/carers will be given advance notice of proposed home visits unless there is good reason not to, e.g., because the visit has been prompted by safeguarding concerns and/or is at the request of Children's Social Care. In these cases, one of the staff undertaking the visit will be the Designated Safeguarding Lead (DSL) or Deputy DSL. The purpose of the visit should be clarified and staff should be aware of the circumstances in which emergency services or partner agencies should be contacted.

When undertaking home visits, it is essential that appropriate policies and related risk assessments are in place to safeguard both pupils/students and members of staff who work with them, all of whom can be more vulnerable in these situations.

A risk assessment should be undertaken prior to any planned home visit taking place. The assessment should include an evaluation of any known factors regarding the pupil/student, parents/carers and others living in the household. Risk Assessments will be carried out by an appropriately trained person and signed off by the Headteacher.

Consideration should be given to any circumstances which might render the staff member becoming more vulnerable to an allegation being made, e.g. hostility, child protection concerns, complaints or grievances. Specific thought should be given to visits outside of 'Academy hours' or in remote or secluded locations. Following the assessment, appropriate risk management measures should be put in place before the visit is undertaken. In the unlikely event that little or no information is available, visits should not be made alone.

Where a programme of work is to be undertaken in the pupil/student's home, an appropriate workspace should be provided, and a written work plan/contract should be agreed with the pupil/student and parent/carer. This should include clear objectives; content; timing; duration of sessions; ground rules; child protection and confidentiality statements. The plan should take into account the preferences of both the pupil/student and parent/carer. There should also be an agreement that the parent/carer or other suitable adult will remain in the home throughout the session.

Where the situation is such that changes in agreed work arrangements are required, a quick assessment will be necessary to determine if the session can continue. The Headteacher or Line Manager should then be informed as soon as is practically possible. Emergency situations

should be reported to the Police or Children's Social Care and to the Headteacher/parent as appropriate.

If, in an emergency, such a one-off arrangement is required, the member of staff or volunteer (supporting a member of staff) must have a prior discussion with a senior manager and the parents or carers and a clear justification for such an arrangement must be agreed and recorded.

Under no circumstances should a member of staff or volunteer (supporting a member of staff) visit a pupil/student in their home outside agreed work arrangements and no pupil-student should be in or invited into the home of an employee or volunteer or that of a family member, colleague or friend unless the reason for that has been firmly established and agreed with parents/carers and the Headteacher.

A written record of any such agreement should be maintained in the Academy or setting. Examples might include situations where a pupil/student is part of a member of staff/volunteer's extended family; or the member of staff/volunteer has an established social relationship with the pupil/student's parents/carers.

This means that staff and volunteers (supporting a member of staff) should:

- agree the purpose for any home visit with the Headteacher or senior leader with delegated responsibility, unless home visits are an acknowledged and integral part of their role, e.g., parent support advisors, home/Trust link workers;
- have a clear understanding of the actions that should be taken if it is believed that a child or parent is at immediate risk of harm, including when to contact emergency services and/or partner agencies;
- adhere to agreed risk management strategies;
- avoid unannounced home visits wherever possible;;
- ensure there is visual access and/or an open door in one to one situations;
- observe current government/Public Health guidance in relation to social distancing at all times;
- except in an emergency, never enter a home without the parent or carer's consent or when the parent is absent;
- always make detailed records including times of arrival and departure and work undertaken;
- ensure any behaviour or situation which gives rise to concern is discussed with their manager and, where appropriate, action is taken;
- never make a home visit outside agreed working arrangements;
- be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations.

This means that the Academy should:

- ensure that it has home visit and lone-working policies, which all staff and volunteers are made aware of. These should include arrangements for risk assessment and management;
- ensure that policies reflect any procedures or guidance issued by Coventry Safeguarding Board, Warwickshire Safeguarding or the respective local authority in relation to undertaking home visits;
- ensure that all home visits are justified and recorded;
- ensure that staff understand the purpose and limitations of all home visits including welfare visits;
- ensure that staff and volunteers are not exposed to unacceptable risk;
- make clear to staff and volunteers that, other than in an emergency, they should not enter a home if a parent/carer is absent;
- ensure that staff and volunteers have access to a Trust owned mobile telephone and an emergency contact person.

24. TRANSPORTING CHILDREN AND YOUNG PEOPLE

In certain situations staff or volunteers may be required or offer to transport pupils as part of their work. As with any other activity undertaken at work, the employer has a duty to carry out a risk assessment covering the health and safety of their staff and to manage any known risks.

Consideration must be given to the potential distraction of the driver and the supervision of the passengers. A judgement should be made about the likely behaviour and individual needs of the child/ren. If any of them may require close supervision, then another adult should travel in the vehicle so that the driver is not distracted or compromised.

Staff and volunteers should not offer lifts to pupils unless the need for this has been agreed by a manager. A designated member of staff should be appointed to plan and provide oversight of all transport arrangements and respond to any concerns that may arise.

Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles, with at least one adult additional to the driver acting as an escort.

It is a legal requirement that all passengers wear seatbelts and it is the responsibility of the staff member who is driving the vehicle to ensure that this requirement is met. Staff and volunteers should also be aware of and adhere to current legislation regarding the use of appropriately fitted car seats/booster seats for younger children.

Staff and volunteers should ensure that their behaviour is safe and that the transport arrangements and any vehicle used to transport pupils meet all legal requirements. They should ensure that the vehicle is roadworthy and appropriately insured with the use of paperwork and that the maximum carrying capacity is not exceeded.

Staff and volunteers should never offer to transport pupils outside of their normal working duties, other than in an emergency or where not doing so would mean the child might be at risk. In those circumstances the matter should be recorded and reported to both the member of staff/volunteer's line manager and the child's parent(s) at the earliest possible opportunity. The Trust's Health and Safety Policy and/or Educational Visits Policy set out the arrangements under which staff may use private vehicles to transport pupils.

This means that staff and volunteers should:

- plan and agree arrangements with all parties in advance;
- respond sensitively and flexibly where any concerns arise;
- take into account any specific or additional needs of the pupil;
- have an appropriate licence/permit for the vehicle;
- ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair their judgement and/or ability to drive;
- ensure that if they need to be alone with a pupil, e.g., in an emergency, this is for the minimum possible time;
- be aware that the safety and welfare of the pupil who they are transporting is their responsibility until they are safely passed over to a parent/carer;
- report the nature of the journey, the route and expected time of arrival in accordance with agreed procedures;
- ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety. This includes checking the paperwork for proper and appropriate insurance for the type of vehicle being driven;
- ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified;
- refer to local and national guidance for educational visits including the Trust's Educational Visits Policy;

This means that the Trust should:

- have appropriate policies for transporting pupils/students;
- seek evidence that:
 - all privately owned vehicles used to transport pupils are safe. This means that the driver holds a valid MOT certificate, where relevant, that the driver certifies the vehicle has been serviced in line with the manufacturer's schedule, and that the driver carries out any pre-use checks specified by the manufacturer;
 - the driver is suitable. This means that they hold a valid licence for the type of vehicle and meet any employer requirements;
 - there is a valid insurance policy covering the driver and the vehicle for the intended use. This may require that the driver has 'business use' cover;
 - retain evidence of the above with the risk assessment.

Refer also to the Trust's Driving at Work and Minibus Guidance.

25. EDUCATIONAL VISITS, TRIPS, OUTINGS AND AFTER-TRUST ACTIVITIES

Please refer to the Academy Educational Visits Policy.

26. FIRST AID AND ADMINISTRATION OF MEDICATION

Refer also to the Trust Health and Safety and Medication Policy and Management Procedure.

All settings should have an adequate number of qualified first aiders. Parents should be informed when first aid has been administered.

Any member of Trust staff may be asked to become a qualified first-aider or to provide support to pupils with medical conditions, including the administering of medicines, but they cannot be required to do so unless this forms part of their contract of employment.

Staff should receive sufficient and suitable training and achieve the necessary level of competence before they take on responsibility to support children with medical conditions.

Advice on managing medicines is included in the statutory guidance on supporting pupils at Trust with medical conditions. In circumstances where a pupil needs medication regularly, this would usually be recorded in their individual healthcare plan. This provides details of the level and type of support a child needs to manage their medical condition effectively in Trust and should include information about the medicine to be administered, the correct dosage and any storage requirements.

When administering first aid, wherever possible, staff and volunteers should ensure that another adult is present, or aware of the action being taken.

After discussion with parents, children who are competent should be encouraged to take responsibility for managing their own medicines and procedures. This could include for example, the application of any ointment or sun cream, or use of inhalers or EpiPens.

If a member of staff or volunteer is concerned or uncertain about the amount or type of medication being given to a pupil/student, provided by a parent/carer or prescribed, this should be discussed with the Designated Safeguarding Lead (DSL).

Adults taking medication which may affect their ability to care for children should seek medical advice regarding their suitability to do so and providers should ensure that they only work directly with children if that advice confirms that the medication is unlikely to impair their ability to look

after children. Employers are also responsible for managing the performance of their employees and for ensuring they are suitable to work with children.

The risk assessment is likely to recommend that staff medication brought onto the premises must be securely stored and out of reach of children at all times.

Notwithstanding all of the above, the Managing Health & Safety at Work Regulations do allow an organisation in exceptional circumstances to function without any member of staff being trained in 'First Aid at Work'. If a Trust has no trained first aider due to partial closure and/or a situation like COVID-19, it is the responsibility of Trust or Academy leaders and/or the employer to identify a senior person on site each day to lead on any crisis or serious incident including the provision of first aid. This decision should be supported by a risk assessment that takes account of the number of staff, children and/or visitors on site, the proximity of emergency services, any particular risks presented etc. Risks should be minimised as much as possible, for example by not undertaking high risk or adventurous activities.

Depending on the ages of the children accessing the provision, there may need to be at least one person trained in paediatric first aid at all times when children are on site.

This means that the Trust and the Academy will:

- ensure there are trained and named individuals to undertake first aid responsibilities, including paediatric first aid if relevant;
- in exceptional circumstances, if there is no member of staff available who has completed 'first aid at work' training, identify a senior person to be responsible each day
- review and update first aid, medicines in Trust and crisis/ emergency policies and relevant risk assessments;
- ensure training is regularly monitored and updated;
- refer to local and national First Aid guidance and guidance on meeting the needs of children with medical conditions;
- always ensure that arrangements are in place to obtain parental consent for the administration of first aid or medication.

This means that staff and volunteers should:

- adhere to the Trust or Academy's policies for health and safety, supporting pupils with medical conditions and administering first aid or medication;
- make other staff aware of the task being undertaken;
- have regard to pupils' individual healthcare plans;
- always ensure that an appropriate health/risk assessment is undertaken prior to undertaking certain activities;
- explain to the pupil/student what is happening;
- always act and be seen to act in the pupil/student's best interests;
- report and record any administration of first aid or medication;
- not work with pupils whilst taking medication unless medical advice confirms that they are able to do so.

27. PHOTOGRAPHY, VIDEOS, OTHER IMAGES AND USE OF SMART MOBILE TELEPHONES

Refer also to the Data Protection Policy and the Use of Personal Mobile Phone and Devices Policy.

Many educational activities involve recording images. These may be undertaken for displays, publicity, to celebrate achievement and to provide records of evidence of the activity.

Under no circumstances should staff or volunteers be expected or allowed to use their personal equipment to take or store images of pupils/students at or on behalf of the Trust or setting, including during educational visits, residential trips, and other off-site activities such as sports events. That includes the use of any device which can be used for taking/recording images, e.g., cameras, mobile-phones, smart phones, tablets, webcams etc.

Whilst images are regularly used for very positive purposes, adults need to be aware of the potential for these to be taken and/or misused or manipulated for indecent or 'grooming' purposes. Particular regard needs to be given when images are taken of young or vulnerable children who may be unable to question why or how the activities are taking place. Pupils who have been abused previously in a manner that involved images may feel particularly threatened by the use of photography, filming etc. Staff and volunteers should therefore remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation.

Making and using images of pupils will require the age-appropriate consent of the individual concerned and their parents/carers. Images will not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the Trust have access.

For the protection of pupils/students, the following guidelines must be followed when using images for the purposes of publicising the Academy or the Trust:

- if the image is used, avoid naming the child, (or, as a minimum, use first names rather than surnames)
- if the child is named, avoid using their image
- it must be established whether the image will be retained for further use, where and for how long
- images should be securely stored and used only by those authorised to do so.

This means that staff and volunteers should:

- adhere to the Trust's Use of Mobile Phone and Personal Device Policy and Data Protection Policy in relation to the creation and storage of images of pupils/students; and the use of personally owned telephones when working with children;
- only publish images of pupils where they and their parent/carer have given explicit written consent to do so;
- only take images where the pupil/student is happy for them to do so;
- only retain images when there is a clear and agreed purpose for doing so;
- store images in an appropriate secure place in the Trust or setting using equipment owned by the Trust;
- ensure that a designated senior member of staff is aware that the photographic/image capturing equipment is being used and for what purpose;
- be able to justify images of pupils in their possession;
- avoid making images in one-to-one situations;
- report any concerns about any inappropriate or intrusive photographs found.

This means that staff and volunteers should not:

- take images of pupils for their personal use;
- display or distribute images of pupils/students unless they are sure that they have parental consent to do so (and, where appropriate, consent from the child);
- take images of pupils/students using any equipment not provided or authorised by the Academy or Trust to take, record and store images of pupils/students;
- take images of children in a state of undress or semi-undress or which could be considered as indecent or sexual;
- take images 'in secret', or take images in situations that may be construed as being secretive;

- take images of a child's injury, bruising or similar (e.g., following a disclosure of abuse) even if requested by children's social care.

This means that the Trust will:

- ensure that a robust policy in respect of the taking, recording, storage and publication of images of pupils/students that is compliant with the Trust's Use of Mobile Phone and Personal Device Policy and that staff and volunteers are fully briefed about its contents;
- have in place clear online safety policies in respect of access to and use of the internet;
- make guidance available to staff, volunteers and pupils/students about appropriate usage.

This means that staff and volunteers should:

- follow the Trust's acceptable use and online safety policies;
- ensure that children cannot be exposed to indecent or inappropriate images;
- ensure that any films or material shown to pupils/students are age appropriate.

28. EXPOSURE TO INAPPROPRIATE IMAGES

Staff should take extreme care to ensure that children and young people are not exposed, through any medium, to inappropriate or indecent images. The Trust and staff and volunteers working directly with pupils/students need to ensure that internet-enabled IT equipment used by pupils/students has the appropriate filters and restrictions to minimise the likelihood of access to inappropriate material.

There are no circumstances that will justify adults making, downloading, possessing or distributing indecent images or pseudo-images of children (child abuse images). Accessing these images, whether using the Trust's or personal equipment, on or off the premises, or making, storing or disseminating such material is illegal.

If indecent images of children are discovered on the Trust's premises or on the Trust's equipment an immediate referral should be made to the Designated Officer (DO) in the respective Local Authority and the Police should be contacted. The images/equipment will be secured and there should be no attempt to view or delete the images as this could jeopardise necessary criminal action. If the images are of children known to the Trust, a referral should also be made to children's social care via the MASH Teams in the respective Local Authority.

Under no circumstances should members of staff or volunteers use equipment belonging to the Trust to access pornography. Personal equipment containing pornography or links to it should never be brought into or used in the Trust or its Academies. This will raise serious concerns about the suitability of the adult to continue working with children and young people.

Staff and volunteers should keep their passwords confidential, should educate pupils/students to do the same and should not allow unauthorised access to equipment. In the event of any indecent images of children or unsuitable material being discovered on a device, the equipment should not be tampered with in any way. It should be secured and isolated from the network, and the DO contacted without delay. Adults should not attempt to investigate the matter or evaluate the material themselves as this may lead to a contamination of evidence and a possibility, they will be at risk of prosecution themselves.

29. PERSONAL LIVING ACCOMMODATION INCLUDING ON SITE PROVISION

As stated above, staff should generally not invite any pupils/students into their living accommodation unless the reason to do so has been firmly established and agreed with the Headteacher and the pupil's parents/carers.

It is not appropriate for staff to be expected or requested to use their private living space for any activity, play or learning. This includes seeing pupils for, e.g., discussion of reports, academic reviews, tutorials, pastoral care, or counselling. Managers should ensure that appropriate accommodation for such activities is found elsewhere in the setting.

Under no circumstances should pupils be asked to assist adults with jobs or tasks, either for or without reward, at or in their private accommodation. Neither should they be asked to do so by friends or family of any employee or volunteer.

This guidance should also apply to all other persons living in or visiting the private accommodation.

This means that staff and volunteers should:

- be vigilant in maintaining their privacy, including when living in on-site accommodation;
- be mindful of the need to avoid placing themselves in vulnerable situations;
- refuse any request for their accommodation to be used as an additional resource for the Trust or Academy;
- be mindful of the need to maintain appropriate personal and professional boundaries;
- not ask pupils to undertake jobs or errands for their personal benefit.

This means that:

- the Trust will ensure that all arrangements reflect a duty of care towards pupils and staff.

30. OVERNIGHT SUPERVISION AND EXAMINATIONS

There are occasions during exam periods when timetables clash and arrangements need to be made to preserve the integrity of the examination process. In these circumstances, examination boards may allow candidates to take an examination the following morning, including on Saturdays.

The supervision of a candidate on journeys to and from the centre and overnight may be undertaken by the candidate's parent/carer or centre staff.

The examination board requires the centre to determine a method of supervision which ensures the candidate's wellbeing. As a result, in some circumstances staff may be asked to volunteer to supervise students. The overriding consideration should be the safeguarding of both the pupil and staff. The Trust does not therefore endorse the practice of staff supervising candidates overnight in their own homes. Where necessary, the Trust will arrange a 'sleep-over' on Trust premises, supervised by a minimum of two members of staff.

Where arrangements are made for staff members to supervise a pupil overnight then all necessary safeguards will be put in place.

Where staff do supervise candidates overnight:

- a full health and safety risk assessment must be undertaken;
- all arrangements should be made in partnership and agreement with the pupil and parents/carers;
- arrangements involving one to one supervision must be avoided;
- as much choice, flexibility and contact with 'the outside world', should be incorporated into any arrangement so far as is consistent with appropriate supervision;
- whenever possible, independent oversight of arrangements should be made;

- any situation which gives rise to complaint, disagreement or misunderstanding should be reported;
- staff should have regard to any local and national guidance.

31. CURRICULUM

Many areas of the curriculum can include or raise subject matter which is sexually explicit or of a political or otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan.

This can be supported by developing ground rules with pupils/students to ensure sensitive topics can be discussed in a safe learning environment. This plan should highlight particular areas of risk and sensitivity and care should especially be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied, e.g., drama.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit, political, or otherwise sensitive nature. Responding to pupils/students' questions requires careful judgement and staff should take guidance in these circumstances from the Designated Safeguarding Lead (DSL).

Care should be taken to comply with the academy policy on spiritual, moral, social, cultural (SMSC) aspects of the curriculum which should promote fundamental British values and be rigorously reviewed to ensure it is lawful and consistently applied. Staff should also comply at all times with the academy policy for relationships and sex education (RSE). It should be noted that parents have the right to withdraw their children from all or part of any relationships and sex education provided (but not from the National Curriculum for Science).

This means that staff and volunteers should:

- have clear written lesson plans that have been shared with all adults in the lesson;
- take care when encouraging pupils to use self-expression not to overstep personal and professional boundaries;
- be able to justify all curriculum materials and relate these to clearly identifiable lessons plans;

This means that staff and volunteers should not:

- enter into or encourage inappropriate discussions which may harm others;
- undermine fundamental British values;
- express any prejudicial views;
- attempt to influence or impose their personal values, attitudes or beliefs on pupils/students;
- discuss aspects of their own sexual and personal relationships with pupils/students.

32. LOW LEVEL CONCERNS, ALLEGATIONS AGAINST STAFF AND WHISTLEBLOWING

Leaders will always take any concerns raised seriously and respond swiftly to them, including reassurance and safety options for pupils making a disclosure and referrals for support to the DSL and externally if needed. All staff will always retain the mind-set of *it could happen here*.

We recognise the possibility that adults working in the academy may harm children. Any conduct concerns (allegations or low level) about the conduct of adults in the academy (including supply

staff and volunteers and contractors) should be taken to the Headteacher without delay (or where that is not possible to the LADO and the Deputy CEO - Education).

Any concerns about the Headteacher should go to the Trust Chief Executive Officer (CEO) who will ensure that appropriate actions and referrals are followed/made to the LADO. If for any reason you cannot make a referral through these routes you have a duty to refer directly to the Local Authority Designated Officer (LADO) whom you can contact here:

Coventry

Tel: 024 7697 5483

Email: lado@coventry.gov.uk

Online reporting form:

<https://www.coventry.gov.uk/ladorefferral> <https://api.warwickshire.gov.uk/documents/WCCC-1642278725-5220.docx>

Warwickshire

Tel: 01926 745376

Email: lado@warwickshire.gov.uk

Online reporting form:

32.1 LOW LEVEL CONCERNS

Low level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’ – that an adult may have acted in a way that:

- is inconsistent with this Code, including inappropriate conduct outside of work
- does not meet the allegation threshold, or is otherwise not serious enough to consider a referral to the LADO – although may still merit consulting with and seeking advice from the LADO in some cases

Low-level concerns will be managed by Headteachers in line with Farrer & Co’s guidance (referenced below); retaining all records of low-level concerns (including those which are subsequently deemed by the headteacher to relate to behaviour which is entirely consistent with the staff code of conduct) in a central low-level concerns file (either electronic or hard copy). Where multiple low-level concerns have been shared regarding the same individual, these should be kept in chronological order as a running record, and with a timeline alongside. These records should be kept confidential and held securely, with access afforded only to a limited number of individuals such as the Headteacher and/or DSL, and the individual they report to (Deputy CEO – Education); and HR Business Partner, and the individual they report to (Head of HR).

<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/developing-and-implementing-a-low-level-concerns-policy.pdf>

It is important to recognise that, in practice, the words ‘concern’ and ‘allegation’ can be and are used interchangeably by different people. Sometimes individuals may shy away from the word ‘allegation’ and express it as a ‘concern’ instead. The crucial point is that whatever the language used, the behaviour referred to may, on the one hand, be capable of meeting the harm threshold (and hence be referrable), or, on the other, it does not meet the harm threshold (in which case it should be treated as a low-level concern). So, the focus should not be on the language used by the person disclosing it; the focus should, instead, be on the behaviour being described.

32.2 ALLEGATIONS AGAINST STAFF

Staff who are the subject of an allegation have the right to have their case dealt with fairly, quickly and consistently and to be kept informed of its progress. Suspension is not mandatory, nor is it automatic but, in some cases, staff may be suspended where this is deemed to be the best way to ensure that children and/or the staff member are protected.

Where a pupil makes an allegation against a staff member, supply teacher or volunteer, the allegation will be taken seriously and acted upon immediately. Parents will be contacted as soon as reasonably possible. The pupil will be offered support and their wishes will be carefully considered before any actions related to said pupil begin.

Where any member of the academy staff or any volunteer has concerns that a person has caused harm, or poses a future risk of harm to vulnerable groups, including children they must act in accordance with the Allegations against staff section of the Trust staff behaviour policy (code of conduct): <https://www.covmat.org/multi-academy-trust-policies/>

Under our duty of care for our employees, we will ensure that we provide effective support for anyone facing an allegation and provide the employee with a named contact if they are suspended. The academy leaders will ensure its obligations for confidentiality when an allegation has been made.

All members of staff and volunteers should be aware of the Academy Child Protection and Safeguarding Procedures, including procedures for dealing with any conduct concerns (allegations or low level) against staff, volunteers and other adults that work with pupils/students.

All staff and volunteers should feel able to raise concerns about any poor or unsafe practice and any potential failure in the Trust's safeguarding regime and have confidence that any such concerns will be taken seriously by the Headteacher .

To that end, staff and volunteers have a duty to report any breach of this code of conduct in relation to safeguarding including what may seem minor contraventions and all concerns about poor practice or possible child abuse by colleagues to the Headteacher without delay in line with the Academy Policy regarding Safeguarding and Child Protection.

That duty is not restricted to but includes specific allegations being made or incidents being witnessed, by any person, of abuse perpetrated by any member of staff, volunteer or other adult who works with children and young people.

The recommended format for all staff in the Trust to record any such poor practice or possible child abuse by colleagues or other adults who work with children is by referring to the Headteacher without delay using the agreed procedure in the academy (e.g. yellow forms). Alternatively, staff are free to approach the Headteacher directly to discuss their concerns or use another format agreed in the Academy, such as CPOMS.

In the event of the Headteacher being absent or unavailable for some reason (including times of Academy closure or partial closure), staff should contact the Academy Governance Committee Chair and/or the Chief Executive Officer and/or take advice from the respective Designated Officer or MASH Education Lead.

Similarly, in the event that a member of staff feels the Headteacher has not taken their legitimate concerns seriously, they should escalate their concerns by contacting the Chief Executive Officer and/or take advice from the respective Designated Officer or MASH Education Lead.

In the event of any allegation being made to a member of staff or volunteer other than the Headteacher, information should be clearly and promptly recorded and reported to the Headteacher without delay.

Members of staff and volunteers should always feel able to discuss with their Line Manager any difficulties or problems that may affect their relationship with or behaviour towards pupils/students, so that appropriate support can be provided and/or action can be taken.

All reports of breaches of this code of conduct and all specific allegations of abuse must be taken seriously and properly investigated in accordance with Trust, Coventry Safeguarding or Warwickshire Safeguarding procedures and statutory guidance. Staff who are the subject of allegations are advised to contact their Trade Union.

It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of adults working with or on behalf of pupils/ students.

In the event of any member of staff or volunteer having concerns about the Headteacher breaching this code of conduct or abusing a child, they should contact the Chief Executive Officer without delay. Alternatively, staff and volunteers are free to contact the respective DO in the respective Local Authority or the respective MASH Education Lead to discuss their concerns.

To that end, contact details for the Academy Governance Committee Chairs , Designated Officers and MASH Education Leads will be readily accessible to all staff and volunteers via the safeguarding noticeboard in the staff room.

This means that staff and volunteers should:

- be familiar with the Trust's systems for recording concerns, both about children and the behaviour of adults who work with children;
- know how to contact the respective Local Authority DO, Coventry City Council or Warwickshire County Council MASH Education Leads and Ofsted/regulatory body directly if required;
- 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 Trust.

This means that the Trust and Academy:

- have an effective, confidential and accessible system for recording and managing concerns raised by any individual regarding adults' conduct and any allegations against staff and volunteers.

32.3 WHISTLEBLOWING

All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the school's or college's safeguarding regime and know that such concerns will be taken seriously by the senior leadership team.

The Trust's Whistleblowing Policy makes clear that employees can and should voice concerns without fear of victimisation, subsequent discrimination, or disadvantage. It is intended that this policy will encourage and enable employees to raise serious concerns within the academy and the Central Team within the Trust rather than overlooking a problem.

Where a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, other whistleblowing channels are open to them:

- general guidance on whistleblowing can be found via:
<https://www.gov.uk/whistleblowing>
- the NSPCC's what you can do to report abuse dedicated helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally, or have concerns about the way a concern is being 20

handled by their school or college. Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk

33. TUTORING OF TRUST PUPILS

33.1 Independent Tutoring

Members of staff and volunteers, who undertake tutoring outside of the Academy on a self-employed basis, should ensure that they do not tutor children who attend this Academy outside the Academy premises as this would be a blurring of professional boundaries. It is appropriate for staff and volunteers to offer independent tutoring to pupils at the Academy on the Academy premises on a self-employed basis at lunch times or outside Academy hours for subjects not available through the regular curriculum (e.g. musical instrument tuition, dance, minority interest sports), subject to written approval by the Headteacher, written parental consent and compliance by the Teacher with this Code at all times. Members of staff must also inform the Headteacher if they undertake any additional employment outside the Academy premises including tutoring of children who attend different Academies and always ensure they have the parents'/carers' consent.

33.2 One-to-One Tuition

The above paragraph does not apply where tutors employed by the respective Local Authority or an Academy are undertaking tuition under the one-to-one tuition programme, where pupils and tutors are identified by the Academy or Trust.

34. PROFESSIONAL BEHAVIOUR

Employees must not misuse or misrepresent their position, qualifications or experience or bring the reputation of the Academy or Trust into disrepute. Such behaviour may lead to disciplinary action and in the case of a teacher's professional misconduct may lead to a referral to the Teacher Regulation Agency. Serious safeguarding related allegations that are upheld will be referred to the Disclosure and Barring Service (DBS).

35. CRIMINAL ACTIONS

Trust employees must inform the Headteacher (or Chief Executive Officer if the employee is the Headteacher) immediately if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution. The Headteacher or Chief Executive Officer will discuss the situation with the employee in the context of their role and responsibilities in order to help safeguard children, other employees at the Trust and the Trust's reputation.

Required reading:

- Academy Child Protection and Safeguarding policy and procedure.
- Disciplinary Policy
- Teachers' Standards

36. DECLARATION OF INTERESTS

An employee is required to declare any situation whereby a group or organisation they are associated with would be considered to be in conflict with the ethos of the Trust. Membership of a Trade Union would not need to be declared. Employees should also consider carefully whether they need to declare to the Trust their relationship with any individual(s) where this might cause a

conflict with Trust activities. For example, a relationship with an Academy Governance Committee Member, another staff member or a contractor who provides services to the Trust.

Failure to make a relevant declaration of interests is a serious breach of trust and therefore if employees are in doubt about a declaration, they are advised to take advice from their Headteacher or Trade Union.

All declarations, including nil returns, should be submitted in writing to the Headteacher on a Trust Register of Business Interests form, available from the Trust's Sharepoint Information Hub.

37. PROBITY OF RECORDS AND OTHER DOCUMENTS

The deliberate falsification of documents is not acceptable. Where an employee falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.

38. FINANCIAL INDUCEMENTS

38.1 Financial Regulations for Trusts

All Trust employees must comply with the Trust's Financial Regulations Manual. Employees should familiarise themselves with the regulations but some of the principal employee requirements are summarised below.

38.2 Business Contacts

"Business contact" refers to any person, body or organisation with which the Trust is involved on a financial or charitable basis (including contractors; developers; consultants; regional or national charities). This also includes business contacts who are potential suppliers (e.g. they are tendering for future business).

38.3 Declaration of Gifts

Any gifts that are received should be declared to the Academy Office and recorded on the Academy Register of Gifts and Hospitality with the exception of those items specifically identified in the Trust Gifts and Hospitality Policy. The register shall remain available for inspection by the Trust Board.

38.4 Use of Trust contacts

Apart from participating in concessionary schemes arranged by Trade Unions or other such groups for their members, employees shall not use Trust business contacts for acquiring materials or services.

39. OTHER EMPLOYMENT

Subject to para 32.1 above, employees are permitted to take up secondary employment outside the Trust as long as the activity does not constitute a conflict of interest, adversely affect their primary employment at the Trust or exceed the legal maximum working week of 48 hours as defined by the Working Time Regulations. The secondary employment must be undertaken outside the working hours of the employee's normal post and employees are required to keep the

Headteacher (Chief Executive Officer and Trust Board if the employee is the Headteacher) informed of their employment at other organisations.

40. HEALTH AND SAFETY

Employees must adhere to the Trust's Health and Safety policy, procedures and guidance and must ensure that they take every action to keep themselves and everyone in the Trust environment safe and well. This includes taking immediate safety action in a potentially harmful situation (either at an Academy or off-site) by complying with statutory and Trust guidelines and collaborating with colleagues, agencies and Local Authorities.

Required reading:

- Trust's Health and Safety Policy.

41. USE OF ALCOHOL AND ILLEGAL DRUGS

The taking of illegal drugs or alcohol during working hours is unacceptable and will not be tolerated. All employees are expected to attend work without being under the influence of alcohol or illegal drugs and without their performance being adversely impacted by the consumption of alcohol or illegal drugs. If alcohol or drug usage impacts on an employee's working life, the Trust has the right to discuss the matter with the employee and take appropriate action (disciplinary/capability procedures), having considered factors such as the Trust reputation and public confidence in the Trust and the employee.

42. USE OF TRUST PREMISES, EQUIPMENT & COMMUNICATION SYSTEMS

Trust equipment and systems (phone, email and computers) are available only for Trust-related activities and should not be used for the fulfilment of another job. This is unless authorised by the Headteacher (or the Chief Executive Officer in the case of the Headteacher); in case of an emergency, or where used for brief periods outside of working hours. This includes photocopying facilities, stationery and premises. It also applies to access provided for remote use (e.g., handheld portable devices etc.) and to staff working outside of Trust premises and using their own IT equipment.

Illegal, inappropriate, or unacceptable use of Trust equipment or communication systems may result in disciplinary action and in serious cases could lead to an employee's dismissal.

This list is not exhaustive and includes:

- creating, sending or forwarding any message that would reasonably be considered inappropriate or unacceptable.
- committing or implying commitment to any contractual arrangements.
- accessing, publication or circulation of illegal, offensive, unacceptable, inappropriate or non-work-related material.
- any illegal activities.
- posting confidential information about the Academy or Trust and/or other employees, children or parents on social networking sites.
- gambling or gaming.
- unauthorised use of Trust facilities (or employee's personal IT equipment), for personal use during employee's working time.

Employees receiving inappropriate communication or material or who are unsure about whether something h/she proposes to do might breach this policy should seek advice from their Headteacher.

The Trust has the right to monitor e-mails, phone calls, internet activity or document production, principally in order to avoid offensive or nuisance material and to protect systems from viruses but also to ensure proper and effective use of systems. Communication systems may be accessed when the Trust suspects that the employee has been misusing systems or facilities, or for the investigation of suspected fraud or other irregularity.

Accredited Trade Union Representatives can use Trust communication systems for the purposes of undertaking Trade Union duties, and these will be treated as confidential.

Passwords should not be shared and access to computer systems must be kept confidential. Breach of this confidentiality may be subject to disciplinary action. Where appropriate the Trust should consider a system of proxy access. Any Trust equipment that is used outside Trust premises, for example laptops, should be returned to the Trust when the employee leaves employment or upon request by the Headteacher.

43. FREQUENTLY ASKED QUESTIONS

Q1. Why do we need to have a Code of Conduct?

A1. It is important that all employees are aware of the standards of behaviour expected by the Trust and that these standards are systematically and fairly applied. The code is guidance and is not contractual for Teachers. The Teachers Standards are the Teachers contractual code of conduct. Maintenance of those standards will contribute to the Trust fulfilling its statutory responsibility to safeguard and promote the welfare of all pupils/students. Employees also need to be aware of the potential consequences of not adhering to the Code.

Q2. What happens if I breach the Code?

A2. Failure to observe the code of conduct could lead to action being taken under the Trust's Disciplinary Policy. This does not preclude appropriate action being taken against an employee under other procedures for reasons other than misconduct, for example unsatisfactory performance, which would be dealt with under the Capability Procedure. Please refer to both procedures for the detailed process involved and the potential outcomes which might follow a breach of the Code of Conduct.

Any breach of the code by agency staff must be referred to the agency to be dealt with.

It is not possible to cover all situations which may occur at work. Nor is it possible to state that any single incident of misconduct will always attract the same penalty, bearing in mind such factors as mitigation, previous conduct and personal circumstances.

Q3. How do I know if I am using the internet and email in the correct way?

A3. There are guidelines in the Code of Conduct. However, you should make yourself aware of the guidance and the Trust's Acceptable Use Policy. Ask the Headteacher or Business Manager/Academy office if you are unsure.

Q4. What do I do if I am offered a gift by a supplier or a customer?

A4. Refer to the Trust Gifts and Hospitality Policy

Q5. My father-in-law is on the Board of Directors for one of the Trusts' potential contractors, what do I need to do?

A5. This would constitute a conflict of interest if you are involved in the process of awarding contracts, or had any influence with the contract. If you have such a relationship, you should declare this personal interest by completing a declaration of Business Interests Form.

Q6. I have become involved in a close relationship with a team member who I manage. Can I continue with my normal management role?

A6. You should not be involved in any disciplinary, appraisal or any other employment decision for an employee with whom you have a personal relationship. You also need to be aware that professional boundaries must be maintained. If there is any disruption in the workplace or obvious favouritism, action could be taken under the appropriate procedure. If you have any doubts, please contact your Manager/Headteacher for advice.

Q7. One of the pupils/students I work with has asked for my personal mobile number and email address. What should I do?

A7. You should not give your personal mobile phone number or email address to a pupil/student unless there is a specific need which has been agreed with your Line Manager, Headteacher, parents or carers. However, this would be a rare occurrence. If the pupil/student persists in their request, you should speak to your Line Manager/Headteacher.

Q8. I use social networking sites a lot in my own time but am regularly contacted to be a 'friend' by pupils/students whom I teach within my Trust. What should I do?

A8. You need to check your security settings to make sure only those people you wish to have access to your profiles can see them. You should decline the 'friends' requests of pupils and their parents and maintain a strictly professional working relationship. If you are unsure, you should speak with your Line Manager/Headteacher.

Q9. I work as an administrator and my niece has asked me for a job as a cleaner for whom I would be the line manager for. Can I recruit her?

A9. If there is a vacancy, then it would need to be advertised. Your niece can choose to apply for the post, but as she is a relative you should not be involved in the recruitment and selection process as it would be considered a conflict of interest.

If your niece is appointed by another manager and you are her line manager, you must maintain a strictly professional relationship at work and you must not be involved in any employment decisions, for example, appraisals, pay decisions, etc.

Q10. If I go to the Trust's Christmas party and get drunk, what business is it of Trust?

A10. As an employee of the Trust, if you partake in activities linked with work then it can be genuinely classed as an extension of your employment, and we would expect you to conduct yourself appropriately. If your behaviour was influenced by alcohol and you behaved in an inappropriate way (i.e., actions against a fellow employee or member of the public, Academy or Trust reputational damage), this could result in disciplinary action being taken.

Q11. I work as a cleaner within a number of Schools or Academies; do I need to inform each Academy that I am working somewhere else?

A11. You must inform the Headteacher of each school or Academy that you work for a number of schools or academies and the total hours that you work. If this exceeds 48 hours per week, you will need to sign an 'opt out form'. You also need to consider your work life balance and your health if you are working this number of hours.

Q12. I often let off steam via Facebook about my day at work. What business is this of the Trust?

A12. There would potentially be damage to the Trust reputation as members of the public can access and view this. The comments could be identified with harassment if named people are linked to the Trust. This could result in allegations of misconduct that the Trust would investigate under the Disciplinary Policy.

44. REVIEW AND MONITORING

The Trust will review the application of this policy to ensure proper procedures have been followed and to identify any points that can be learned from those cases and implement any necessary changes.

The procedure will be monitored to ensure consistency of application and adherence to equalities legislation, to ensure that the policy operates in accordance with the duties to promote equality, to eliminate discrimination and to promote good relations between staff with protected characteristics as required under the Equality Act 2010.

When carrying out any reviews or monitoring, the organisation will ensure that individuals' personal data is handled in accordance with GDPR. Records will be treated as confidential.

This policy will be reviewed every four years or sooner if there are changes to any guidance in consultation with recognised Trade Unions.