



POLICY DOCUMENT

For use by all staff

HR Trust Suite

Version	Name	Date
v1.0 written by	Corinne Sheehan, Co CEO	Nov 2023
v1.0 approved by	Brian James, Chair of HR Committee	Jan 2024

Contents:

- Introduction
- HR Policy Statement
- Code of Conduct

Trust Suite

Introduction

High quality employees are essential to the success of every school. The Spring Partnership Trust intends to be an outstanding employer, recruiting and developing the best employees for the benefit of pupils.

As an outstanding employer, The Spring Partnership Trust require HR policies that are:

- Compliant with latest law/regulations and case-law
- Fit for purpose for an Academy
- Fair to the employer and employee
- Clear and easily understood

These policies will be reviewed on a two-year rolling basis.

Detailed support documentation, including procedures and template forms/letters, accompany these policies.

The Trust is the employer who will ensure that appropriate policies are in place.

HR Policy Statement

1. Introduction

- 1.1. The Spring Partnership Trust is committed to the employment of high calibre employees who support school improvement through exceptional work performance. It is expected that all employees will contribute toward clearly defined organisational standards and objectives. Employees will be supported in doing this by a set of staffing procedures, all of which follow the guiding principles set out in this document.
- 1.2. This Human Resources Policy Statement should be read and implemented in conjunction with the appropriate staffing procedure.
- 1.3. Collectively the Human Resources Policy Statement and staffing procedures are referred to as The Spring Partnership Trust Human Resources Policy and Procedures.

2. Staffing Policies

- 2.1. The Spring Partnership Trust is committed to having Human Resources Policy and Procedures that are:
 - Supportive of school improvement
 - Comprehensive and fit for purpose
 - Legally compliant
 - Clear, consistent and easy to understand
 - Fair to the employer and employee
 - Regularly reviewed with the review date clearly stated
 - Supported by templates and guidance as appropriate
- 2.2. The Human Resources Policy and Procedures are non-contractual and may be amended at any time following consultation unless it is stated otherwise in an individual staffing procedure.
- 2.3. The Human Resources Policy and Procedures apply to all employees of The Spring Partnership Trust unless it is stated otherwise in an individual staffing procedure.
- 2.4. The processes that are set out in the Staffing Policy and Procedures, including any time limits, may be varied as appropriate in any case.

3. Accountabilities

- 3.1. The Board of Trustees is accountable for The Spring Partnership Trust Staffing Policy and Procedures.
- 3.2. The CEO is responsible for the implementation of The Spring Partnership Trust Staffing Policy and Procedures, ensuring that they are applied consistently and communicated to employees appropriately.
- 3.3. The Trust Senior Leader will ensure that:

- The Staffing Policy and Procedures are readily available and accessible to all employees
 - New employees are given access and made aware of the Staffing Policy and Procedures during their induction period
- 3.4. Cases against the Chief Executive Officer will be managed by the Board of Trustees in accordance with the process set out in the appropriate staffing procedure.
- 3.5. Cases against a Headteacher will be managed by the CEO in accordance with the process set out in the appropriate staffing procedure.

4. Definitions

- 4.1. The following terms and definitions apply in all staffing policies in which they are used:

Line Manager: An employee with line management responsibility for a member of staff.

Teaching Staff: Those employees employed by The Spring Partnership Trust whose terms and conditions are covered by the Conditions of Service for School Teachers in England and Wales (the Burgundy Book, or School Teacher Pay and Conditions document (STPCD)).

Support Staff: Those employees employed by The Spring Partnership Trust whose terms and conditions are covered by the National Joint Council for Local Government Services Conditions of Service (the Green Book).

Companion: A representative of a trade union or workplace colleague chosen by the employee to accompany them to a formal meeting, where this provision is stipulated in the relevant staffing procedure. A companion may make representations and ask questions but should not answer questions on the employee's behalf.

Investigating Officer: A senior leader or external person appointed by The Spring Partnership Trust to investigate an allegation.

Trust Designated Safeguarding Lead: An employee employed by The Spring Partnership Trust that will take the lead responsibility for all safeguarding matters that arise within the Trust.

Trade Union Officials: Officials negotiate with employers to further the interests of their union's members.

Local Authority Designated Officer (LADO): Officials responsible for coordinating a response if an allegation is made against an adult who works with children.

- 4.2. The Spring Partnership Trust Human Resources Policy and Procedures apply to all employees. Where an employee is a trade union representative, wherever possible, no formal action will be taken until the circumstances of the case have been discussed with the relevant professional trade union officer.

5. Probation

- 5.1. Concerns raised during an employee's probationary period may be taken into account in determining whether or not the probationary period is completed satisfactorily. Where this is the case, the matter will normally be dealt with in accordance with the Trust's probation procedure and not the individual staffing procedure to which the issue relates, for example, sickness absence or disciplinary.

6. Confidentiality

- 6.1. All parties must treat information relating to cases being dealt with in accordance with the HR Policy and Procedures as confidential, unless there is recourse to legal action or if there is police or LADO involvement in which case appropriate information will be shared by The Spring Partnership Trust in accordance with Data Protection policies.
- 6.2. The employee and anyone accompanying the employee (including witnesses) must not make electronic recordings of any meetings or hearings conducted under this procedure. Failure to observe confidentiality could be a reason for disciplinary action under the Trust disciplinary procedure unless expressly authorised and agreed by all parties.

7. Equalities

- 7.1. The Staffing Policy and Procedures will be operated in accordance with The Spring Partnership Trust Equality and Diversity Policy. The Trust is committed to developing, maintaining and supporting a culture of equality and diversity in employment. The impact of The Spring Partnership Trust Staffing Policy and Procedures will be monitored in accordance with the Equality Act 2010.

8. Formal Meetings

- 8.1. The following arrangements relate to formal meetings, convened in accordance with a staffing procedure. The individual staffing procedure indicates when a meeting constitutes a formal meeting.

9. Arrangements Prior to the Formal Meeting

- 9.1. An employee invited to a formal meeting convened in accordance with a staffing procedure will be provided with:
 - a) 5 working days' notice of the meeting
 - b) The date, time and location of the meeting
 - c) Information about the purpose of the meeting, including allegations, where appropriate
 - d) Possible consequences of the meeting, including dismissal, where appropriate
 - e) Notification of their right to be accompanied by their companion
 - f) Copies of documents to be discussed
 - g) Names of people attending the meeting and their role
 - h) An additional copy of correspondence for the employee's companion where requested

- i) The opportunity to request special arrangements, e.g. relating to disability, language requirements
- 9.2. An employee invited to a formal meeting is required to confirm their attendance, provide the name of their companion where relevant and provide any other requested information at least three working days prior to the meeting.
- 9.3. The employee must take all reasonable steps to attend meetings. Failure to do so without good reason may be treated as misconduct.
- 9.4. If the employee is unable to attend a formal meeting at the scheduled time, the Trust will make a reasonable attempt to reschedule it on an alternative date. In the event that the employee is unable to attend a rescheduled formal meeting, they may be given alternative options to provide information and be advised that it may go ahead in their absence. Alternatives may include the following, as appropriate to the circumstances of the case:
- Meet in another venue or at their home
 - Attend via telephone conference
 - Send a companion to represent them, providing appropriate written consent
 - Provide a written submission
 - Request that the meeting takes place in their absence
- 9.5. Any manager visiting an employee's home will be accompanied by another manager.
- 9.6. A meeting may be adjourned if the chair of the meeting is awaiting receipt of information, needs to gather further information or give consideration to matters discussed at a previous meeting. The employee will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.
- 9.7. If the employee's chosen companion is unavailable to attend a formal meeting at the scheduled time, and will not be available for more than 5 working days afterwards, the employee will normally be required to find an alternative companion.

10. Procedure During a Formal Meeting

- 10.1. The Chair of a formal meeting, hearing or appeal may be accompanied by an HR Adviser, including during any deliberations. The HR Adviser will not have a vote in any decision that is reached.
- 10.2. An employee's companion may make representations and ask questions but should not answer questions on the employee's behalf.

11. Outcome of a Formal Meeting

- 11.1. The Chair of the meeting will confirm the outcome of a formal meeting in writing to the employee as soon as possible and usually within 5 working days of the meeting.
- 11.2. The record of the meeting will include the outcome and the details of people present.

12. Dismissal

- 12.1. If a decision is taken to dismiss an employee, the Chair, of the formal meeting at which the decision was reached, will inform the employee, and their companion, that the employee is dismissed, with the required contractual or statutory notice, whichever is the greater.
- 12.2. The written confirmation of the dismissal will include:
- Confirmation that the employee has been dismissed
 - The grounds for the dismissal and the reasons
 - The required contractual or statutory notice due (or payment in lieu of notice where applicable) and the date the dismissal will be effective
 - The employee's right of appeal
- 12.3. Termination of employment will normally be with full notice or payment in lieu of notice. In some cases, it may not be appropriate for the employee to work during their notice. The contract may state that the employee remains at home on 'garden leave' or this may be agreed between the parties.
- 12.4. Where dismissal has been on the grounds of gross misconduct, the employee may be dismissed without notice or pay in lieu of notice and this will be confirmed in the outcome letter.
- 12.5. A Fit Note (statement of fitness for work issued by a registered healthcare professional, such as a GP, hospital doctor, nurse, occupational therapist, pharmacist or physiotherapist) must be provided to cover the employee's notice period when they are absent due to sickness.

13. Appeals

- 13.1. Appeals constitute formal meetings and should be conducted in accordance with 9.1 above.
- 13.2. Appeals will be heard by a panel who have not had prior involvement with the case.
- 13.3. The appeals panel may be advised by a person engaged by the Trust.
- 13.4. The purpose of an appeal hearing is to review the decision made during the formal process and to decide if the decision was reasonable in all the circumstances.
- 13.5. Individual staffing procedures state where an employee has the right to appeal a decision that has been made.
- 13.6. An employee will be advised of their right to appeal a decision taken during a formal meeting, in writing, when the outcome is communicated to them.
- 13.7. Appeals should be made in writing, stating the grounds for appeal in full, within 5 working days of the date of the written decision.
- 13.8. All appeal hearings will be held as soon as possible and, in normal circumstances, within 10 working days after receipt of the appeal.
- 13.9. Individual staffing procedures state who the appeal should be submitted to and who is responsible for hearing it.

13.10. The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.

13.11. Upon conclusion of the appeal process, there is no further right of appeal.

Code of Conduct

1. Introduction

- 1.1. This code of conduct must be read and applied in conjunction with The Spring Partnership Trust HR Policy Statement and is applicable to all staff either at work or when representing the Trust. This includes out of school hours and off Trust Premises, e.g. residential, training courses.
- 1.2. All Trust policies referred to in this Code of Conduct can be located on TSPT's website.
- 1.3. This code of conduct aligns to The Spring Partnership Trust's mission statement: "Together we strive to create an educational community of respect and inclusion, which will empower all to embrace learning and achieve our personal best". It also embodies the Trust values of "Ambition, Collaboration, Fairness and Respect".
- 1.4. This code sets out the professional standards expected and the duty upon adults to abide by it. All adults have a duty to keep pupils safe, promote their welfare and to protect them from radicalisation (the Prevent Duty), abuse (sexual, physical and emotional), neglect and safeguarding concerns. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by adults that demonstrates integrity, maturity and good judgement. Following this code will help to safeguard adults from being maliciously, falsely or mistakenly suspected or accused of misconduct in relation to pupils.
- 1.5. For the purposes of this code, the term and references to 'adult', regardless of age, means the following: Members, Trustees, Local Advisory Council members, all teaching and other employees working in the Central Trust and in Schools (whether paid or unpaid, employed or self-employed and whether or not employed directly by the Trust), external contractors providing services to pupils on behalf of the Trust, teacher trainees and other trainees/apprentices, volunteers and any other individuals who work for or provide services on behalf of or for the Trust to include but not limited to all those detailed in the Single Central Record (as amended).
- 1.6. For the purposes of this code 'young person/people', 'pupils' and 'child/ren' includes all those for whom the Trust provides education or other services.
- 1.7. This code takes account of the most recent versions of the following guidance (statutory and non-statutory):
 - 'Keeping Children Safe in Education' Department of Education ('DfE') (statutory)
 - 'Working Together to Safeguard Children' HM Government (statutory)
 - 'Guidance for Safer Working Practice for Those Working with Children and Young People in Education Settings' (non-statutory)

This code cannot provide an exhaustive list of what is, or is not, appropriate behaviour for adults. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to the required professional standards. There will be occasions and circumstances in which adults have to make decisions or take action in the best interests of the pupil where no specific guidance has been given. Adults are expected to make responsible and informed judgements about their own behaviour in order to secure the best interests and welfare of the pupils.

- 1.8. Any behaviour in breach of this code by employees may result in action under the Trust's disciplinary procedure. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The Trust will take a strict approach to serious breaches of this code.

2. Safeguarding

- 2.1. Adults have a duty to act in accordance with the Safeguarding and Child Protection Policy which is available from The Spring Partnership Trust website www.springpartnershiptrust.co.uk and report any safeguarding, child protection, welfare or radicalisation concerns about a pupil to the Designated Safeguarding Lead.

3. Whistleblowing

- 3.1. Adults must raise concerns they have about the safeguarding or child protection practices by following the Trust's Whistleblowing Procedure, which is available from The Spring Partnership Trust website www.springpartnershiptrust.co.uk. An adult who "whistle blows" or makes a public interest disclosure will have the protection of the relevant legislation.

4. Allegations of Abuse Against Teachers and Other Employees and Volunteers

- 4.1. Where it is alleged that an adult 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 they would pose a risk of harm to children

the Trust will follow the Trust's Procedures for Dealing with Allegations of Abuse against Staff/Volunteers and the guidance set out in Part Four of 'Keeping Children Safe in Education' DfE.

5. Expected Professional Standards

- 5.1. All adults as appropriate to the role and/or job description of the individual, must:
- Place the wellbeing and learning of pupils at the centre of their professional practice
 - Have high expectations for all pupils, be committed to addressing underachievement, and work to help pupils progress regardless of their background and personal circumstances
 - Treat pupils fairly and with respect, take their knowledge, views, opinions and feelings seriously, and value diversity and individuality
 - Model the characteristics they are trying to inspire in pupils, including enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people
 - Respond sensitively to the differences in home backgrounds and circumstances of pupils, recognising the key role that parents and carers play in pupils' education
 - Seek to work in partnership with parents and carers, respecting their views and promoting understanding and cooperation to support the young person's learning and wellbeing in and out of School
 - Reflect on their own practice, develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues
 - Ensure that the same professional standards are always applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity
- 5.2. Teachers are required to comply with the Teachers Standards, in particular, Part 2 Personal and Professional Standards www.gov.uk/government/publications/teachers-standards
- 5.3. All adults must be familiar with and act in accordance with the most recent versions of the following documents:
- Part 1 of 'Keeping Children Safe in Education' DfE (statutory)
 - 'Working Together to Safeguard Children' HM Government (statutory)
 - 'Prevent Duty Guidance' HM Government (statutory)
 - 'The Prevent Duty Departmental Advice for Schools and Childcare Providers' DfE
 - 'Guidance for Safer Working Practice for Those Working with Children and Young People in Education Settings' (non-statutory)
- 5.4. An employee who fails to bring a matter of concern to the attention of senior management and/or the relevant agencies is likely to be subject to disciplinary action.

6. Confidentiality

- 6.1. As data controllers, all academies are subject to the General Data Protection Regulation (GDPR) and Data Protection Act 2018 (“Data Protection Legislation”). In addition, teachers owe a common law duty of care to safeguard the welfare of their pupils. This duty is acknowledged in the provisions governing disclosure of information about pupils.
- 6.2. Adults may have access to confidential information about pupils in order to undertake their responsibilities. In some circumstances, the information may be sensitive data and/or confidential. Confidential or personal information about a pupil or their family must never be disclosed to anyone other than on a need to know basis and advice should be sought prior to disclosure to ensure such disclosure is in accordance with the Data Protection Legislation and the Trust’s Privacy Notices. In circumstances where the pupil’s identity does not need to be disclosed, the information should be used anonymously. The information must never be used to intimidate, humiliate, or embarrass the pupil. The information must never be used by anyone for their own or others’ advantage (including that of partners, friend’s relatives or other organisations).
- 6.3. There are some circumstances in which an adult may be expected to share information about a pupil, for example, when abuse is alleged or suspected. In such cases, adults have a duty to pass the information on without delay to those with designated safeguarding responsibilities. See paragraph 19 below.
- 6.4. Confidential information about pupils must be held securely. Confidential information about pupils must not be held off the School site other than on security protected Trust platforms. The information must only be stored for the length of time necessary to discharge the task for which it is required.
- 6.5. If a pupil or parent/carer makes a disclosure regarding abuse or neglect, the adult must follow the Trust’s procedures and the guidance as set out in ‘Keeping Children Safe in Education’ DfE. Confidentiality must not be promised to the pupil or parent/carer. However, reassurance should be given that the information will be treated sensitively.
- 6.6. If an adult is in any doubt about the storage or sharing of information they must seek guidance from the Designated Safeguarding Lead. Any media or legal enquiries must be passed to the Trust Executive Team.

7. Propriety, Behaviour and Appearance

- 7.1. All adults working with children have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their colleagues, pupils and the public in general. An adult’s behaviour or actions, either in or out of the workplace, must not compromise their position within the work setting, or bring the Trust into disrepute. Non-exhaustive examples of unacceptable behaviour are contained in the Trust’s Disciplinary Procedure.

- 7.2. Adults are required to notify the Trust immediately of any allegation/s of misconduct that are of a safeguarding nature made against them (or implicating them), by a child or adult in relation to any outside work or interest (whether paid or unpaid) and, of any arrest or criminal charge whether child-related or not. Where employees fail to do so, this will be treated as a serious breach of this code and dealt with under our disciplinary procedure.
- 7.3. Individuals should not behave in a manner which would lead any reasonable person to question their suitability to work with children or to act as an appropriate role model; make, or encourage others to make sexual remarks to, or about, a pupil; use inappropriate language to or in the presence of pupils; discuss their personal or sexual relationships with or in the presence of pupils; make, or encourage others to make, unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such. Behaving in an unsuitable way towards children may result in disqualification from childcare under the Childcare Act 2006, prohibition from teaching by the Teaching Regulation Agency (TRA), a bar from engaging in regulated activity, or action by another relevant regulatory agency.
- 7.4. A person's dress and appearance are matters of personal choice, self-expression, religious and cultural customs. However, adults must maintain an appropriate standard of dress and personal appearance at work which promotes a positive and professional image. Clothing and footwear must be safe and clean and take account of health and safety considerations. We therefore ask that denim, low cut or cropped tops and clothing that reveals underwear are not worn, shirts/blouses should have long or short sleeves and shorts should be long. Inappropriate footwear includes flip-flops/sliders. Adults must ensure they are dressed in ways which are appropriate to their role and not likely to be viewed as offensive, revealing or sexually provocative and specifically should not distract, cause embarrassment or give rise to misunderstanding, should be religious and culturally sensitive and free of any political or otherwise contentious slogans, and not considered to be discriminatory. Adults who dress or appear in a manner which may be considered as inappropriate could render themselves vulnerable to criticism or, where the adult is an employee, allegations of misconduct that may lead to action under our disciplinary procedure.
- 7.5. Personal property of a sexually-explicit nature or property which might be regarded as promoting radicalisation or otherwise inappropriate such as books, magazines, CDs, DVDs or such material on any electronic media including links to such material must not be brought onto or stored on Trust premises or on any Trust equipment.

8. Sexual Contact with Children and Young People and Abuse of Trust

- 8.1. A relationship between an adult and a child or young person is not a relationship between equals; the adult has a position of power or influence. There is potential for exploitation and harm of children or vulnerable young people and all adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Adults must not use their status or position to form or promote relationships with children (whether current pupils or not), that are of a sexual nature, or which may become so. Adults should maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report any incident with this potential.

- 8.2. Any sexual behaviour or activity by an adult with or towards a child/pupil or young person is illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether there is consent or not. Where a person aged 18 or over is in a specified position of trust with a child or young person under 18 years, the Sexual Offences Act 2003 makes it an offence for that person to engage in sexual activity with or in the presence of that child or to cause or incite that child to engage in or watch sexual activity.
- 8.3. Sexual behaviour includes non-contact activities, such as causing a child or young person to engage in or watch sexual activity or the production of indecent images of children. 'Working Together to Safeguard Children', Appendix A defines sexual abuse as "...forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening..."
- 8.4. Adults must not have sexual relationships with pupils or have any form of communication with a child, which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, texts, electronic mail, phone calls, social networking contact or physical contact. The adult should not make sexual remarks to, or about, a child or discuss their own sexual relationships with or in the presence of pupils. Adults should take care that their language or conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought.
- 8.5. There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child or young person, and manipulate that relationship so that sexual abuse can take place. Adults should be aware that conferring special attention without good reason or favouring a pupil has the potential to be construed as being part of a 'grooming' process, which is a criminal offence.

9. Infatuations and Crushes

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

9.2. Examples of situations which must be reported are given below:

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

10. Gifts, Rewards, Favouritism and Exclusion

10.1. It is against the law for public servants to take bribes. Adults need to take care that they do not accept any gift that might be construed by others as a bribe, or lead the giver to expect preferential treatment. There are occasions when pupils or parents/carers wish to pass small tokens of appreciation to adults, e.g. at Christmas or as a thank you and this is acceptable. However, it is unacceptable to receive gifts regularly or of any significant value.

10.2. Excessive personal gifts must not be given to pupils or their families/carers. This could be misinterpreted as a gesture either to bribe or groom. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a pupil should be consistent with the Trust's Gifts and Hospitality Policy, recorded, and not based on favouritism.

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

11. Social Contact and Social Networking

11.1. Communication between pupils and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones, tablets, text messages, emails, instant messages, websites, social media such as Facebook, X, Instagram, chat-rooms, forums, blogs, apps such as WhatsApp, gaming sites, digital cameras, videos, webcams and other handheld devices. Adults should not share any personal information with pupils and they should not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role. They should ensure that all communications are transparent and avoid any communication that could be interpreted as 'grooming behaviour'.

- 11.2. Adults must not give their personal contact details such as home/mobile phone number; home or personal email address or social networking details to pupils. If, for example, a pupil attempts to locate an adult's personal contact details and attempts to contact or correspond with them, the adult should not respond and must report the matter to their Headteacher or Line Manager.
- 11.3. It is recommended that adults ensure that all possible privacy settings are activated to prevent pupils from making contact on personal profiles and to prevent pupils from accessing photo albums or other personal information which may appear on social networking sites. Social media platform helpdesks should be contacted for assistance, if required.
- 11.4. Adults are personally responsible for what they communicate in social media and must bear in mind that what is published might be read by us, pupils, parents and carers, the general public, future employers and friends and family for a long time. Adults must ensure that their online profiles are consistent with the professional image expected by us and must not post material which damages the reputation of the Trust or which causes concern about their suitability to work with children and young people. Those who post material which may be considered as inappropriate could render themselves vulnerable to criticism or, in the case of an employee, allegations of misconduct which may be dealt with under the disciplinary procedure. Even where it is made clear that the writer's views on such topics do not represent those of the Trust, such comments are inappropriate.
- 11.5. Adults are advised not to have any online friendships with any young people under the age of 18 unless they are family members or close family friends. Adults are advised not to have online friendships with parents or carers of pupils or members of the Local Advisory Council/Trust Board. Where such online friendships exist, adults must ensure that appropriate professional boundaries are maintained.
- 11.6. It is acknowledged that adults may have genuine friendships and social contact with parents or carers of pupils, independent of the professional relationship. Adults should, however, inform their Headteacher of:
- Any relationship with a parent/carer where this extends beyond the usual parent/carer/professional relationship
 - Any regular social contact they have with a pupil or parent/carer, which could give rise to concern
 - Any requests or arrangements where parents/carers wish to use their services outside of the workplace e.g. babysitting, tutoring
 - Any planned social contact with pupils or parents/carers with senior colleagues, e.g. when it is part of a reward scheme. If a parent/carer seeks to establish social contact, or if this occurs coincidentally, the adult should exercise their professional judgement and should ensure that all communications are transparent and open to scrutiny.

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

12. Physical Contact, Personal Privacy and Personal Care

12.1. There are occasions when it is entirely appropriate and proper for employees to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role and in relation to the pupil's individual needs and any agreed care plan. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity, culture and background. Employees must use their professional judgement at all times. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil in one set of circumstances may be inappropriate in another, or with a different pupil.

12.2. Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. Adults should never touch a pupil in a way which may be considered indecent. If an adult believes that an action could be misinterpreted, the incident and circumstances should be reported as soon as possible to the Designated Safeguarding Lead and be recorded in the School or Trust's incident book, and, if appropriate, a copy placed on the pupil's file.

12.3. There may be occasions when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. Adults should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation. Adults should always tell a colleague when and how they offered comfort to a distressed pupil.

12.4. Physical contact, which occurs regularly with a pupil or pupils, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example, in relation to pupils with SEN or physical disabilities). Any such contact should be the subject of an agreed and open policy and subject to review. Where feasible, employees should seek the pupil's permission before initiating contact. Adults should listen, observe and take note of the pupil's reaction or feelings and, so far as is possible, use a level of contact which is acceptable to the pupil for the minimum time necessary. Please refer to the Trust's Behaviour Policy.

12.5. Where an adult has a particular concern about the need to provide this type of care and reassurance they should seek further advice from the Designated Safeguarding Lead.

- 12.6. Some employees, for example, those who teach PE and games or who provide music tuition, will on occasions have to initiate physical contact with pupils in order to support a pupil so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the pupil's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in a safe and open environment. Adults should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil.
- 12.7. All parties should clearly understand from the outset what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers informed of the extent and nature of any physical contact may also prevent allegations of misconduct arising. Any incidents of physical contact that cause concern or fall outside of these protocols and guidelines should be reported to the Designated Safeguarding Lead and parent/carers.
- 12.8. Pupils are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard 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 pupils concerned and sensitive to the potential for embarrassment. Adults who are required as part of their role to attend changing rooms should announce their intention of entering any pupil changing rooms and only remain in the room where the pupil/s needs require this.
- 12.9. Employees with a job description which includes intimate care duties will have appropriate training and written guidance including a written care plan for any pupil who could be expected to require intimate care. No other adult should be involved in intimate care duties except in an emergency. A signed record should be kept of all intimate and personal care tasks undertaken and, where these have been carried out in another room, include times left and returned. Employees should not assist with personal or intimate care tasks which the pupil is able to undertake independently.

13. Behaviour Management and Physical Intervention

- 13.1. All pupils have a right to be treated with respect and dignity. Adults must not use any form of degrading treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards pupils are not acceptable in any situation. Deliberately intimidating pupils by shouting aggressively, hectoring or overbearing physical presence is not acceptable in any situation. Any sanctions or rewards used should be part of the Trust's Behaviour Policy or the School Behaviour procedures.

- 13.2. Physical intervention can only be justified in exceptional circumstances. Non-statutory guidance is available from the Department of Education website. See 'Use of reasonable force - advice for Headteachers, staff and Governing Bodies' www.gov.uk/government/publications/use-of-reasonable-force-in-schools Adults may legitimately intervene to prevent a pupil 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. Adults should have regard to the health and safety of themselves and others. It is always unlawful to use force as a punishment. The use of unwarranted physical force is likely to constitute a criminal offence.
- 13.3. Where a pupil has specific needs in respect of particularly challenging behaviour, a positive handling plan, including a risk assessment, should be put in place and agreed by all parties. Where it is judged that a pupil's behaviour presents a serious risk to themselves or others, a robust risk assessment that is regularly reviewed and a physical intervention plan, where relevant, must be put in place. All incidents and subsequent actions should be recorded and reported to a member of the Senior Leader Team and the pupil's parents/carers. Where it can be anticipated that physical intervention is likely to be required, a plan should be put in place that the pupil and parents/carers are aware of and have agreed to. Parental consent does not permit the use of unlawful physical intervention or deprive a pupil of their liberty. The Trust has a Behaviour Policy including the use of physical intervention.

14. First Aid and Medication

- 14.1. The Trust has a separate policy on 'Supporting Pupils with Medical Conditions'. Employees should have regard to the statutory guidance 'Supporting pupils at school with medical conditions' DfE December 2015, which includes advice on managing medicines. All settings must have an adequate number of qualified first aiders/appointed persons. Employees must have had the appropriate training and achieved the necessary level of competency before administering first aid or medication or taking on the responsibility to support pupils with medical conditions. Please refer to the Trust's First Aid Policy. If an adult is concerned or uncertain about the amount or type of medication being given to a pupil this should be discussed with the School's SENCO or designated lead in this area.
- 14.2. Adults taking medication that may affect their ability to care for children should seek medical advice regarding their suitability to do so and should not work with pupils whilst taking medication unless medical advice confirms that they are able to do so. Adult medication on the premises must be securely stored out of the reach of children.

15. One to One Situations and Meetings with Pupils

- 15.1. One to one situations have the potential to make children and young people more vulnerable to harm by those who seek to exploit their position of trust. Adults working in one to one settings with pupils may also be more vulnerable to unjust or unfounded allegations being made against them. Adults must recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure that the safety and security needs of both adults and pupils are met. The Designated Safeguarding Lead should undertake a risk assessment in relation to the specific nature and implications of one to one work for each adult and pupil, which should be reviewed regularly. Where such a meeting is demonstrably unavoidable it is advisable to avoid remote or secluded areas and to ensure that the door of the room is left open and/or visual/auditory contact with others is maintained. Any arrangements should be reviewed on a regular basis.
- 15.2. Pre-arranged meetings with pupils away from the premises or on the Trust premises when the Trust is not in session are not permitted unless written approval is obtained from their parent/carer and the Headteacher or another senior colleague with delegated authority.
- 15.3. No pupil should be in or invited into, the home of an adult who works with them unless they are family members or close family friends, in which case adults are advised to notify their line manager. Pupils must not be asked to assist adults with jobs or tasks at or in their private accommodation or for their personal benefit.
- 15.4. There are occasions during assessment periods when timetables clash and arrangements need to be made to preserve the integrity of the assessment process and in these circumstances, assessment boards may allow candidates to take an assessment the following morning, including Saturdays. The assessment board requires the centre to determine a method of supervision on journeys to and from the centre and overnight, which ensures the candidate's wellbeing. This supervision may be undertaken by a parent/carer or employees may be asked to volunteer to supervise pupils, which may with prior approval be in their own home.
- 15.5. Other than in an emergency, an adult must not enter a pupil's home if the parent/carer is absent. Always make detailed records including times of arrival and departure and ensure any behaviour or situation that gives rise to concern is discussed with the Designated Safeguarding Lead. A risk assessment should be undertaken and appropriate risk management measures put in place prior to any planned home visit taking place. In the unlikely event that little or no information is available, home visits should not be made alone.

16. Transporting Pupils

- 16.1. In certain situations, e.g. out of school activities, adults may agree to transport pupils. Transport arrangements should be made in advance by a designated employee who will be responsible for planning and overseeing all transport arrangements and respond to any concerns that may arise. Wherever possible and practicable, transport should be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort.
- 16.2. Adults should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. If a member of staff is using a minibus to transport pupils, this must follow the Trust expectations for minibus use. They must ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded. It is a legal requirement that all passengers wear seatbelts and the driver should ensure that they do so. The driver should be aware of the current legislation concerning the use of car seats for younger children where applicable. It is illegal to drive using hand-held phones or similar devices and the driver must ensure that they adhere to all driving regulations.
- 16.3. It is inappropriate for adults to offer lifts to a pupil, unless the need has been agreed with the Headteacher and, if this falls outside their normal working duties, has been agreed with parents/carers.
- 16.4. There may be occasions where a pupil requires transport in an emergency situation or where not to give a lift may place a pupil at risk. Such circumstances must always be recorded and reported to the Designated Safeguarding Lead.

17. Educational Visits and School Clubs

- 17.1. Adults should take particular care when supervising pupils in the less formal atmosphere of an educational visit, particularly in a residential setting, or after-school activity. Adults remain in a position of trust and the same standards of conduct apply. Please refer to the Trust's Educational Visits Policy.

18. Curriculum

- 18.1. Some areas of the curriculum can include or raise a subject matter which is sexually explicit, of a political, cultural, religious or an 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 plan should highlight particular areas of risk and sensitivity.

- 18.2. The curriculum can sometimes include or lead to an unplanned discussion about the subject matter of a sexually explicit, political, cultural, religious or otherwise sensitive nature. Responding to pupils' questions can require careful judgement and adults must take guidance in these circumstances from the Designated Safeguarding Lead. Adults must not enter into or encourage inappropriate discussion about sexual, political or religious activity or behaviour or, discussions which may offend or harm others. Adults should take care to protect children from the risk of radicalisation and should act in accordance with advice given under Part 1 of Keeping Children Safe in Education DfE and accordingly must not express any prejudicial views or, attempt to influence or impose their personal values, attitudes or beliefs on pupils.
- 18.3. Please refer to the Trust's PSHE policy including relationships, sex and education (RSHE) and spiritual, moral, social and cultural development.

19. Photography, Videos and Other Creative Arts

- 19.1. Please refer to the Trust's Photo and Video policy, the use of images and the consent forms therein. Adults should have regard to the ICO 'CCTV Code of Practice' and the ICO guidance 'Taking Photographs in Schools'.
- 19.2. Many educational activities involve the taking or recording of images. This may be undertaken as part of the curriculum, extra school activities, for displays, publicity, to celebrate achievement or, to provide evidence of the activity. An image of a child is personal data and it is, therefore, a requirement under Data Protection Legislation that explicit consent is obtained from the parent/carer of a child before any images are made such as those used for school or Trust web sites, notice boards, productions or other purposes, unless an alternative legal justification for processing this data is applicable.
- 19.3. Adults need to be aware of the potential for such images to be taken and/or misused to create indecent images of children and/or for 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. There should be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.
- 19.4. Adults should remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken.
- 19.5. Adults must only use equipment provided or authorised by the Trust to make/take images and must not use personal equipment, mobile telephones or any other similar devices to make/take images.

19.6. The following guidance should be followed and read in conjunction with the Trust's Photography and Video Policy:

- If a photograph is used, avoid naming the pupil
- If the pupil is named, avoid using the photograph
- Photographs/images must be securely stored and used only by those authorised to do so
- Be clear about the purpose of the activity and about what will happen to the photographs/images when the lesson/activity is concluded
- Only retain images when there is a clear and agreed purpose for doing so
- Ensure that the Headteacher is aware that the photography/image equipment is being used and for what purpose
- Ensure that all photographs/images are available for scrutiny in order to screen for acceptability
- Be able to justify the photographs/images made
- Do not take images of pupils for personal use
- Only take images where the pupil consents to this
- Do not take photographs in one-to-one situations
- Do not display or distribute photographs/images of pupils unless there is consent to do so from the parent/carer
- Only publish images of pupils where they and their parent/carer have given explicit written consent to do so
- Do not take images of pupils in a state of undress or semi-undress
- Do not take images of pupils which could be considered as indecent or sexual

20. Unacceptable Use of ICT Facilities and Monitoring

20.1. This section should be read in conjunction with the Trust's ESafety Acceptable Use Policy. Posting, creating, accessing, transmitting, downloading, uploading or storing any of the following material (unless it is part of an authorised investigation) is likely to amount to gross misconduct and result (where the adult is employed) in summary dismissal (this list is not exhaustive):

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

- 20.2. If indecent images of children are discovered at the premises or on the Trust's equipment/devices, an immediate referral should be made to the Headteacher (unless they are implicated) and the external LBB Designated Officer (LADO) and, if relevant, the police contacted. The images/equipment should be secured, should not be used by others and should be isolated from the network. There should be no attempt to view, tamper with or delete the images as this could jeopardise any necessary criminal investigation. If the images are of children known to the Trust, a referral should also be made to children's social care in accordance with local arrangements.
- 20.3. The contents of our ICT resources and communications systems are the Trust's property. Therefore, adults should have no expectation of privacy in any message, files, data, document, facsimile, telephone conversation, social media post, conversation or message, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on our electronic information and communications systems.
- 20.4. The Trust reserves the right to monitor, intercept and review, without prior notification or authorisation from adults. Usage of our IT resources and communications systems, including but not limited to telephone, e-mail, messaging, voicemail, CCTV, internet and social media postings and activities are monitored to ensure that our rules are being complied with and for the following purposes:
- To monitor whether the use of the e-mail system or the internet is legitimate and in accordance with this Code
 - To assist in the investigation of alleged wrongful acts
 - To comply with any legal obligation
- 20.5. Personal data will be stored in accordance with the Trust's Privacy Notices. We may store copies of data or communications for a period of time after they are created, and may delete such copies from time to time without notice. If necessary, information may be handed to the police in connection with a criminal investigation.
- 20.6. Some schools have a CCTV system which monitors part of the sites 24 hours a day. This data is recorded and may be used as evidence of any alleged wrongdoing.
- 20.7. Cyber-bullying can be experienced by adults as well as pupils. Adults should notify the Headteacher if they are subject to cyber-bullying. The Trust will endeavour to protect adults and stop any inappropriate conduct.

21. Reporting Concerns and Recording Incidents

- 21.1. All adults must report concerns and incidents in accordance with the guidance set out in Keeping Children Safe in Education DfE and the Trust's Safeguarding and Child Protection Policy. In the event of an allegation being made, or an incident being witnessed, the relevant information should be immediately recorded and reported to the Headteacher. An employee who fails to bring a matter of concern to the attention of senior management and/or the relevant agencies will be subject to disciplinary action.
- 21.2. In addition to behaviours outlined elsewhere in this code and, the types of abuse and neglect set out in 'Keeping Children Safe in Education' DfE, the following is a non-exhaustive list of some further behaviours which would be a cause for concern:

An adult who:

- Allows a pupil/young person to be treated badly; pretends not to know it is happening
- Gossips/shares information inappropriately
- Demonstrates inappropriate discriminatory behaviour and/or uses inappropriate language
- Dresses in a way which is inappropriate for the job role
- Does not treat pupils fairly - demonstrates favouritism
- Demonstrates a lack of understanding about personal and professional boundaries
- Uses their position of trust to intimidate, threaten, coerce or undermine
- Appears to have an inappropriate social relationship with a pupil or pupils
- Appears to have special or different relationships with a pupil or pupils
- Seems to seek out unnecessary opportunities to be alone with a pupil