

# Professional Conduct Policy

Please note, that the current [Covid Risk Assessment](#) must be adhered to by all staff and students as part of this policy.

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## 1.0 Policy statement

All our academies seek to provide a safe and supportive environment and secure the well-being and very best outcomes for children in our care. Staff can at times feel vulnerable in trying to achieve these aims; as such, guidelines on professional conduct are vital. The Trust is committed to supporting all staff to minimise the risk of being accused of improper conduct towards the young people with whom they come into contact during their working hours. Additionally, the expected standard of conduct amongst staff is high and staff need to understand that they are expected to act as role models for young people and be mindful of the reputation of the academy they work in and also the Trust as a whole. This policy should be read in conjunction with the Teachers' Standards and following policies:

- Online Safety and Acceptable Use of IT
- Care and Control of Students
- Child Protection and Safeguarding (KCSIE 2021)
- Dealing with Allegations and Concerns Against Staff and Others
- Intimate Care
- Disciplinary
- GDPR
- Relationships and Health / Sex Education

## 2.0 Scope and purpose

- The expectations of professional conduct are the same regardless of where a member of staff works.
- The expectations are the same for all employees regardless of length of service or role. It also applies to temporary staff, volunteers, those employed through an agency and self employed contractors although breaches may not be managed through the disciplinary procedure.
- All teachers are expected to be familiar with, and to uphold, all aspects of the Teachers' Standards.
- All staff should recognise that conduct outside of work can impact on their employment, as they have a duty to uphold the reputation of the profession and the Trust.
- The senior leadership in each academy has responsibility for ensuring the professional conduct of members of staff.
- The governors expect the Principal and senior staff to model professionalism at all times.

The purpose of the policy is to:

- ensure a high standard of professional conduct amongst staff to safeguard children and protect staff from allegations
- ensure that the duty of care towards students and staff is promoted by raising awareness of illegal, unsafe and unwise behaviour
- ensure that staff exercise professional judgement appropriate to a professional in a 'position of trust'
- assist staff in monitoring their own standards and practice
- assist staff to work in a transparent and professional way

## 3.0 Working or meeting one to one with students

- 3.1 All staff should be aware of the dangers which may arise from private interviews with individual students. It is recognised that there are many occasions when confidential interviews take place. Where possible, such interviews should be conducted in a room with visual access, or with the door open, or in a room or area which is likely to be frequented by other people. Where such conditions cannot apply, staff are advised to ensure that another adult knows the interview is taking place, preferably beforehand. The use of 'Do Not Disturb' signs is not advisable. Where possible, another student, or another adult, should be present or nearby during the interview. Meetings or contact (e.g. via phone calls, texts, emails, social media) with students away from the academy premises (or indeed on the academy premises out of hours) are not permitted unless the specific approval of the Principal or Vice Principal has been obtained in advance. Staff must recognise that a relationship between a member of staff and a student cannot be a relationship of equals. There is a potential for exploitation and harm of vulnerable young people and staff have a responsibility to ensure that an unequal power balance is not used for personal advantage or gratification.

## 4.0 Peripatetic lessons

- 4.1 In order to maximise learning and progress, many peripatetic lessons are carried out in a one to one situation. In order to protect students and staff, these are always carried out within the school day at a pre-arranged time in a designated area. All peripatetic rooms have a glass door. Staff are trained in child protection procedures and are aware of their duty of care and expected code of conduct.



## 5.0 Confidentiality

- 5.1 Members of staff may have access to confidential information about students, colleagues or other matters which could include personal and sensitive data. This information should never be referred to casually or in order to humiliate, intimidate or embarrass a student, family or colleague. Highly sensitive information should only be shared on a 'need to know' basis at the direction of the Designated Safeguarding Lead or Principal. Gossip about students, their families or colleagues, is unnecessary and unprofessional. Staff must be familiar with and adhere to the expectations of the GDPR policy.

## 6.0 Propriety and behaviour

- 6.1 All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of young people. This means that staff are required to take action to protect children from maltreatment, prevent impairment in health and development and ensure children grow up in safe and effective care. All staff should be prepared to identify children who may benefit from early help, providing support as soon as a problem emerges at any point in a child's life. All staff must be aware of the signs of abuse and neglect and know what action to take if these are identified.
- 6.2 Staff must adopt high standards of professional conduct in order to maintain confidence. This includes attention to dress, appearance (see page 6) and self-expression and thinking about how they conduct their professional relationships with other members of staff. Standards may well vary from those adopted in their private life. Additionally, staff need to think carefully about the way that they present themselves on social network sites and the image of themselves, the academy and the Trust that they may be portraying. Staff must be mindful of the guidance in Keeping Children Safe in Education 2021 and in particular the 4th bullet point: 'behaved in a way or may have behaved in a way that indicates that they may not be suitable to work with children'.
- 6.3 All staff must be aware of their duty to identify and report low level concerns, no matter how small, and even if no more than causing a sense of unease or a nagging doubt that an adult working in or on behalf of the Trust may have acted in a way that is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, and does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the Local Authority Designated Officer (LADO).
- 6.4 Staff need to be aware that it is not uncommon for students to be strongly attracted to members of staff. Any situation should be responded to sensitively to maintain the dignity of all concerned. If you are aware of an infatuation involving yourself, or another, you should report it to the Designated Safeguarding Lead as soon as you become concerned.

## 7.0 Sexual contact with young people

- 7.1 Any sexual behaviour or contact including grooming patterns of behaviour by a member of staff with, or towards, a child or young person is both unacceptable and illegal. Young people are protected by specific legal provisions regardless of whether they consent or not. Sexual activity does not just involve physical contact, it may also include causing children or young people to engage in or watch pornographic material. Staff should be aware that conferring special attention and favour upon a child or young person might be construed as being part of a 'grooming' process which is an offence (Sexual Offences Act 2003). In line with KCSIE, we will report all allegations or suggestions of sexual impropriety to the Local Authority Designated Officer (LADO).

## 8.0 Caring for students with particular needs

- 8.1 Staff who have to administer first aid should ensure, whenever possible, that other students or another adult are present if they are in any doubt as to whether necessary physical contact could be misconstrued.
- 8.2 Wherever possible, staff that help students with physical disabilities should be accompanied by another adult.

## 9.0 Where physical contact may be acceptable

- 9.1 There may be occasions when a distressed student needs comfort and reassurance which may include age appropriate physical comforting, such as a parent/carer would give. Staff should use their discretion in such cases to ensure that what is, and what is seen by others present to be normal, and natural, does not become unnecessary and unjustified contact, particularly with the same student over a period of time. Where a member of staff has a particular concern about the need to provide this type of care and reassurance, advice should be sought from the Designated Safeguarding Lead.
- 9.2 Some staff are likely to come into physical contact with students from time to time in the course of their duties. Examples include showing a student how to use a piece of apparatus or equipment and demonstrating a move or exercise during games or PE. Staff should be aware of the context within which such contact should properly take place and of the possibility of such contact being misinterpreted.
- 9.3 There may be rare occasions where it is necessary for staff to restrain a student to prevent the student from inflicting damage on themselves or others. In such cases, only the minimum force should be used in order to restrain. In most cases of a student refusing to leave a room, or absconding, the student should not be physically handled. The incident should be reported immediately to the Designated Safeguarding Lead. The only grounds to physically intervene would be if it was genuinely believed that the student was at risk to themselves or others. Physical force must never be used as a punishment, or to modify behaviour, or make a student comply with an instruction. Staff are advised that physical force may in law be regarded as an assault (see Care and Control policy). An accepted guideline that any complaint of inappropriate handling by a student (proven or otherwise) should be reported to the Local Authority Designated Officer for Child Protection (LADO). Following an investigation, it may be that information is passed to the Teaching Regulation Agency (TRA).



## 10.0 Gratuitous physical contact with a student

- 10.1 Physical contact may be misconstrued by a student, parent/carer or observer. Such contact can include well-intentioned formal or informal gestures such as putting a hand on the arm or shoulder which, if repeated with an individual, could lead to serious questions being raised. Therefore, as a general principle, staff should not make gratuitous physical contact with students and it is unwise to attribute touching to their teaching style as a way of relating to students.

## 11.0 Where conversations of a sensitive nature may be appropriate

- 11.1 Many staff have a pastoral responsibility for students and, in order to fulfil that role effectively, there will be occasions when conversations will cover particularly sensitive matters. Staff must, in these circumstances, use their discretion to ensure that, for example, any probing details cannot be construed as unjustifiable intrusion.
- 11.2 All staff may, from time to time, be approached by students for advice. Students may also appear distressed and staff may feel the need to ask if all is well. In such cases, staff must judge whether it is appropriate for them to offer counselling and advice or whether to refer the student to another member of staff with acknowledged pastoral responsibility for the particular student, i.e. Form Tutor, Head of Year, the Academy Nurse or Individual Needs Department. Staff must remember that discretion can never be guaranteed and anything of concern must be referred to the safeguarding team (see Child Protection and Safeguarding policy).

## 12.0 Inappropriate comments and discussions with students

- 12.1 As well as physical contact, comments by staff to students, either individually or in groups, can be misconstrued. As a general principle, therefore, staff must not make unnecessary comments to, and about, students or other members of staff which could be construed to have a sexual connotation. It is also unacceptable for staff to introduce or encourage debates amongst students in class, or elsewhere, which could be construed as having a sexual connotation that is unnecessary given the context of the lesson or the circumstances. At the same time, it is recognised that a topic raised by a student is best addressed rather than ignored. Additionally, jokes of an 'adult nature' with sexual connotations should be avoided.
- 12.2 The use of insensitive, disparaging, demeaning or sarcastic comments is also unacceptable. As is drawing attention to any of the students' physical attributes, even in a positive manner. Additionally, teachers should communicate in standard English to avoid over-familiar or colloquial terminology that may undermine their position of authority.

## 13.0 Choice and use of teaching materials

When using teaching materials of a particular sensitive nature, staff should be aware of the danger and that their selection could be misinterpreted and may be criticised after the event. Materials should clearly relate to the learning outcomes identified.

## 14.0 General relationships and attitudes

- 14.1 Staff should ensure that their relationships with all students are appropriate to the age and gender of the student, taking care of their conduct does not give rise to comment or speculation. Attitudes, demeanour and language require care and thought, particularly when staff are dealing with adolescents.
- 14.2 Staff should be aware that some actions might be construed as sexual harassment.

## 15.0 Educational visits and extra-curricular activities

- 15.1 Staff should be particularly careful when supervising students on residential activities. They should always ensure that the male to female staff ratio is adequate for the effective supervision of both sexes. Similarly, the less formal approach adopted in extra-curricular activities generally can be open to misinterpretation. Although more informal relationships in such circumstances tend to be usual, the standard of behaviour expected of staff will be no different from the behaviour expected within the academy. Staff acting in any supervisory capacity should not drink alcohol in the presence of students or when on duty.
- 15.2 Staff should ensure that they:
- take responsibility for their own actions and behaviour; always question whether their conduct is professional (would you say / do that in front of a family member / governor?)
  - work and are seen to work in an open and transparent way
  - act and are seen to act in the child's best interests
  - avoid conduct which would lead any reasonable person to question their motivation and intentions (see 'bullet point 4' KCSIE 2021)
  - take advice from appropriate persons if in any doubt about actions taken or to be taken
  - discuss any misunderstandings with their senior leadership
  - identify and report any areas of risk or vulnerability
  - remove themselves from situations where they may be at risk from allegations
  - report concerns regarding self (e.g. suspected student infatuations)
  - report concerns regarding colleagues (see Whistleblowing policy) and make records of any incident that occur
  - work to the same professional standards regardless of gender or sexuality

- consider the reputation of the profession and academy when using social network sites, including their interaction with other members of staff (see Appendix 1)

## 16.0 Personal views and beliefs

16.1 All teachers have a duty to ensure that students have a broad and balanced education. It is important this is remembered when planning individual lessons as well as in the overall curriculum design. When dealing with, or teaching about, political, religious or other sensitive issues, no personal beliefs should be imposed upon a student. Students should be enabled to make informed decisions and draw appropriate conclusions from being given balanced and reliable information. Any visitor or speaker allowed to deliver sessions to students should be made aware that they have to present balanced and accurate information and the content of any external presentation must be checked before it is delivered. A member of the SLT must be consulted before agreeing to allow a speaker / visitor into the academy. Teachers must be clear that some views are unacceptable and are in contravention with the Equality Act 2010 (see Equality and Diversity policy).

## 17.0 Contact with students outside work

17.1 As a general rule, conversations either by telephone, text or social networking sites with students at the academy are inadmissible. If a member of staff has any reason to give any private contact details (for example, their private mobile number in the case of an emergency on a field trip) to a student, they should inform the Designated Safeguarding Lead. Private communication is open to misinterpretation and may lead the member of staff to gain a bad reputation or lead to an accusation of unprofessional conduct. Staff should also think carefully about how they present themselves on any social networking website profile so as not to undermine their professional reputation. Staff must report any situation outside of work to the Designated Safeguarding Lead.

17.2 Staff must not engage in conduct outside of work which could damage the reputation of the Trust, their own reputation or the reputation of others in the Trust. Informal meetings with students outside of the academy should be avoided, unless there is family involvement (e.g. an 18th birthday party where parents/carers are present), or it is an organised occasion (e.g. the Formal, a reunion party with other members of staff present, a leaving meal for Post-16 students with other members of the department present). Staff are required to demonstrate responsible behaviour at events that do take place outside normal work hours. If a member of staff is in any doubt about the appropriateness of contact or an event, they should seek advice.

## 18.0 Social media

18.1 All staff should ensure high levels of security on social media platforms and avoid references to the place of work. Comments about colleagues, students or their families on social media are never appropriate. Staff need to be careful about comments made in any electronic communication and how they portray their lifestyle, as privacy on any social media cannot be guaranteed. There is no acceptable reason for any member of staff to be connected with any child in the academy through social media. If a child attempts to contact you in any way, outside of work, by any means, you must contact the Designated Safeguarding Lead and the Principal immediately. We recognise that employees work long hours and are entitled to engage in the use of social media in their own time and that there are many positive outcomes of engaging on social media. All employees, however, need to be mindful of what is private and public with other individuals unintentionally or intentionally and misinterpreting online communication. As such, we have written a guide for staff, to support them in their interactions and to make clear the Trust's expectation (see Appendix 1).

## 19.0 Staff dress code

### 19.1.0 General guidelines

- All members of staff are expected to maintain professional dress and appropriate personal appearance at work.
- Staff issued with an identify badge must wear it at all times.
- Where particular clothing is required for health, safety, hygiene and/or uniform purposes, it must be worn.
- The Trust values and welcomes the ethnic diversity of its workforce and, therefore, dress codes will take account of this.

### 19.2 Holidays / trips

During school holidays and on school trips, dress can be casual if the students are 'dressing down'; however, it should still be sensible and safe.

### 19.3 Sports clothing

It is recognised that some activities require the wearing of tracksuits or shorts. However, it is expected that staff will revert to normal clothing once the activity is completed. It is acknowledged that there are some areas of work where, due to the continuous nature of the activity, appropriate tracksuit attire is acceptable during the school day, e.g. PE.

## 20.0 The Welfare of the Child is Paramount Children Act 1989

20.1 In the case of serious professional misconduct, we will co-operate and refer to the Teacher Referral Agency (TRA) even if the member of staff resigns during an investigation. Where the harm test is met, we will refer to DBS (see policy).



## Appendix 1 - Guidelines for staff use of social media

- These guidelines apply to all employees working at all grades and levels including consultants, contractors, casual and agency staff and volunteers, collectively referred to as staff.
- The guidelines refer to all forms of social media use both inside and outside of work hours and regardless of device used.
- The guidelines should be read in line with other policies as listed above.
- Staff work long hours and may occasionally desire to use social media for personal activity at work. Such use is acceptable as long as it does not interfere with employment responsibilities or productivity and does not breach other guidelines.
- As an employer, we have the right to monitor use of IT and resources during working hours.
- All use of social media for business purposes must be approved by the Principal of the academy, or in the case of a longer article or blog, the CEO.
- Principals and HR staff should not covertly search applicants on social media as part of the recruitment process as this may lead to unconscious bias and go against our Equality and Diversity policy.
- The exception to this would be if researching prospective candidates to encourage applications, for example, on a professional community site such as 'LinkedIn', however, searches should never be a replacement for the safer recruitment process.
- Searches may be made once an offer and if an appointee is informed that this is part of the safer recruitment process (e.g. to ensure social media sites are private, for example).
- You should not communicate with students (or ex-students who are under 18) over social network sites and must block unwanted communication, reporting this to the Designated Safeguarding Lead and the Principal.
- Staff must be mindful of the Trust's reputation and must not post disparaging or defamatory statements about the academy, the Trust, our students or families, our governors or staff, suppliers or vendors or other known affiliates and stakeholders.
- Statements can be misconstrued and this can lead to damage to the Trusts' reputation, directly or indirectly.
- Staff must be aware that they are personally responsible for what they post on social media and that a digital footprint can be difficult to erase. When posting anything, they should consider whether what they are saying would pass the 'red face test' should it be brought into work.
- What may appear to be private communication can become public, particularly in the event of disagreements or conflict and staff must be mindful of this.
- Staff should refrain from posting comments about sensitive issues which could damage their or the Trust's reputation.
- Employees may find it easier to use different sites for different purposes, so, for example, LinkedIn and Twitter may be for purely educational connections, whereas, Facebook may be purely social and private.
- Given the issue of misinterpretation, employees should think very carefully before posting anything about work on their private site, additionally, blurring the public and private can have unintended consequences.
- If you feel uncomfortable about any post that another employee makes, you should print it off and take it to the Principal.
- Respect for others is absolutely key and you must not post anything that other members of our community or any stakeholder would find offensive, for example, insults or obscenity.
- Social media sites should have the optimum security settings and it is advisable to use a pseudonym and to keep personal details to an absolute minimum.
- Staff may be asked to remove a post if it is felt that it breaches these guidelines, co-operation is expected.
- Staff should not provide employment references by social media; this should always be done through HR.
- If a member of staff discloses their affiliation as an employee, for example, on Twitter when engaging with a learning community, the following statement must be added 'the views in this post do not represent the views of my employer'.
- Employees must be aware that some views are non-conducive with the mission and values of the Trust, for example, posting or re-posting comments or memes that go against the principles of our Equality and Diversity policy.
- Despite any disclaimer, the employee must be particularly mindful that the image presented should be consistent with the expectations of highly professionalised staff if an association with the organisation is made.

