



ACORN HOUSE COLLEGE

Staff Code of Conduct

Acorn House College

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Staff Code of Conduct

Purpose and application

Purpose: Relationships with fellow staff, employees, governors, contractors, visitors, pupils and their parents or guardians should be reasonable and mutually respectful at all times. This code has been formulated in order to maintain this balance. In general these guidelines and imperatives detail the idea and ideal of professional conduct. Good rules of thumb are:

- if you have been involved in an incident where the issue of professional conduct arises a) make careful notes with dates and b) report to the DSL (Designated Safeguarding Leader) or similar.

The purpose of the code is to:

- confirm and reinforce the professional responsibilities of staff (both teaching and non-teaching)
- clarify the legal position in relation to sensitive aspects of staff/pupil relationships
- set out the expectations of standards to be maintained within the college

Your duty: It is the contractual duty of every member of staff to observe the rules and obligations in this code. You should also follow the guidance unless there is a good reason not to follow it in a particular case.

Application: Allegations of unprofessional conduct or improper contact or words can arise at any time. Professionalism and vigilance are required so as to ensure the safety of pupils in our care, and to reduce the risk of an allegation of impropriety against a member of staff. This guidance applies to all adults working at Acorn House College London, and not just teachers. Forming inappropriate relationships with pupils or young people who are pupils or students at another school or college may be regarded as gross misconduct. Such behaviour tends to bring Acorn House College into disrepute and gives rise to concern that the staff involved cannot be trusted to maintain professional boundaries with pupils and students at the college.

Guidance on staff/pupil relationships

Behaviour giving particular cause for concern: You should take particular care when dealing with a pupil who:

- appears to be emotionally distressed, or generally vulnerable and/or who is seeking expressions of affection;
- appears to hold a grudge against you
- acts in a sexually provocative way or one whose manner with adults is over-familiar
- may have reason to make up an allegation to cover the fact that he or she has not worked hard enough for public examinations.

Procedure to be followed in these cases: Some of these behaviours may be indications that a pupil has been, or is currently being, abused and should therefore be reported to the DSL under the college's child protection procedures.

General guidance: You should be aware of the general guidance that will apply in all cases. In particular you:

- need to exercise professional judgment but always act within the spirit of these guidelines. If you are involved in a situation where no specific guidance exists, you should discuss the circumstances with a senior colleague. A written record, including dates, should be kept that includes justification for any action taken
- must be familiar with procedures for handling allegations against staff
- must be aware of Acorn House College London's Child Protection Procedures
- must seek guidance from the DSL or another senior colleague if you are in any doubt about appropriate conduct

Record keeping: Comprehensive records are essential. Any incident involving pupils that could give cause for concern, whether contemplated in these guidelines or not, should be recorded with justifications for any action taken. In addition any incident should be promptly reported to a senior colleague.

General conduct

General conduct and behaviour: You should observe Acorn House College's policy on Smoking, Alcohol and Drugs contained in the Employment Manual.

School property: You must take proper care when using Acorn House College property and you must not use Acorn House College property for any unauthorised use or for private gain.

Use of premises: You must not carry out on college premises any work or activity other than pursuant to your terms and conditions of employment without the prior permission of the principal.

Good order and discipline: Teaching staff and other staff in charge or control of pupils must maintain good order and discipline at all times when pupils are present on Acorn House College premises and whenever pupils are engaged in authorised college activities, whether on college premises or elsewhere.

One-to-one meetings. If you are teaching one pupil, or conducting a one-to-one meeting or teaching session with a pupil, you should take particular care in the following ways:

- use a room that has sufficient windows onto a corridor so the occupants can be seen, or keep the door open, or inform a colleague that the lesson/meeting is taking place
- arrange the meeting during normal college hours when there are plenty of other people about
- do not continue the meeting for any longer than is necessary to achieve its purposes;
- avoid sitting or standing in close proximity to the pupil, except as necessary to check work
- avoid idle discussion
- avoid all unnecessary physical contact and apologise straight away if there is accidental physical contact
- avoid any conduct that could be taken as a sexual advance
- report any incident that causes you concern to the Designated Safeguarding Lead (currently the principal Francis Choi) under the College's Child Protection Procedures, and make a written record (signed and dated)

Pre-arranged meetings: Pre-arranged meetings with pupils outside school are not permitted unless approval is obtained from their parents and a senior colleague. If you are holding such a meeting, you should inform colleagues before the meeting.

Home visits: In some circumstances home visits are necessary. You should:

- discuss the purpose of any visit with senior colleagues
- Assess risk and follow a risk management strategy
- not visit unannounced if this can be avoided
- leave the door open where you will be alone with pupils
- keep records detailing times of arrival and departure, and work undertaken
- discuss with your manager anything that gives cause for concern and refer to other agencies if felt appropriate
- have a mobile 'phone and an emergency contact

Language: You should use appropriate language at all times. You should:

- avoid words or expressions that have any unnecessary sexual content or innuendo; avoid displays of affection either personally or in writing (e.g. messages in birthday cards, text messages, emails etc)
- avoid any form of aggressive contact such as holding, pushing, pulling or hitting, which could amount to a criminal assault, or threatening words
- avoid any words or actions that are over-familiar
- not swear, blaspheme or use any sort of offensive language in front of pupils;
- avoid the use of sarcasm or derogatory words when punishing or disciplining pupils and
- avoid making unprofessional personal comments about anyone

Dress: You should dress appropriately and in a professional manner. Dress must not be offensive, distracting or revealing. Political or other contentious slogans or badges are not allowed.

Dealing with “crushes”: Crushes, fixations or infatuations are part of normal adolescent development. However they need sensitive handling to avoid allegations of exploitation. If you suspect that a pupil has a “crush” on you or on another colleague you should bring it to the attention of senior colleagues at the earliest opportunity.

The use of force or physical restraint

Physical restraint: All forms of corporal punishment are unlawful. However, by law, teaching staff, and other staff who are authorised by the Principal to have control or charge of pupils, may use such force or physical contact as is reasonable in the circumstances to prevent a pupil from doing, or continuing to do any of the following:

- committing a criminal offence
- injuring themselves or others
- causing damage to property, including their own
- engaging in any behaviour prejudicial to good order and discipline at the college or
- among any of its pupils, whether that behaviour occurs in a classroom or elsewhere

Application of code of restraint: This applies when a teacher, or other authorised person, is on Acorn House premises and when he or she is in control or charge of the pupil

elsewhere, for example on a field trip or other authorised out of school activity. It only applies where no other form of control is available and where it is necessary to intervene.

Before intervening: Before intervening physically you should, wherever practicable, tell the pupil to stop and what will happen if he or she does not. You should continue attempting to communicate with the pupil throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. You should always avoid touching or holding a pupil in a way that might be considered indecent. Nor should you act in a way that might reasonably be expected to cause injury.

Inform senior staff: You should inform the DSL or another senior colleague immediately following an incident, except the most minor or trivial, where force has been used. This is to help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful in the event of a complaint. You should provide a written report as soon as possible afterwards.

Action taken in self-defence or in an emergency: The law allows anyone to defend themselves against an attack provided they do not use more force than is necessary. Similarly, where a pupil is at risk of immediate injury or on the point of inflicting injury on someone else, any member of staff (whether authorised or not) would be entitled to intervene.

Using reasonable force: There is no legal definition of “reasonable force”. It will always depend on the circumstances. Note that:

- physical force could not be justified to prevent a pupil from committing a trivial misdemeanour
- any force should always be the minimum needed to achieve the desired result
- whether it is reasonable to use force and the degree of force that could be reasonably employed might also depend on the age, understanding and sex of the pupil

Physical contact in other circumstances

When physical contact may be appropriate: Physical contact with a pupil may be

- necessary and beneficial in order to demonstrate a required action, or a correct technique
- in, for example, singing and other music lessons or during PE, sports and games.

Guidance on using physical contact: You should observe the following guidelines (where applicable):

- explain the intended action to the pupil
- do not proceed with the action if the pupil appears to be apprehensive or reluctant, or
- if you have other concerns about the pupil’s likely reaction ensure that the door is open and if you are in any doubt, ask a colleague or another pupil to be present during the demonstration

Report concerns: If you are at all concerned about any instance of physical contact, inform DSL or another senior colleague without delay, and make a written record.

Offering comfort to distressed pupils: Touching may also be appropriate where a pupil is in distress and needs comforting. You should use your own professional judgement when you feel a pupil needs this kind of support and should be aware of any special circumstances relating to the pupil. For example, a pupil who has been abused may find physical contact particularly difficult. You should always notify a senior colleague when comfort has been offered and should seek guidance if unsure whether it would be appropriate in a particular case.

Administering first aid: When administering first aid you should explain to the pupil what is happening and ensure that another adult is present or is aware of the action being taken. The treatment must meet the college's Health and Safety at Work Rules and Intimate care guidelines, and parents should be informed.

Regular physical contact: Generally, regular physical contact can only be justified where it is part of an agreed plan, or as a result of a Special Educational Need.

Pupils' entitlement to privacy: Pupils are entitled to privacy when changing or showering. However there still must be an appropriate level of supervision to ensure safety. You should:

- avoid physical contact or intrusive behaviour when pupils are undressed
- announce yourself when entering changing rooms and avoid remaining unless required
- not shower or change in the same place as pupils

Where a pupil has been abused: Where a pupil has previously been abused, staff should be informed on a 'need to know' basis, and should be extra cautious when considering the necessity of physical contact.

Code of conduct for contact outside school

Contact outside school: You should avoid unnecessary contact with pupils outside school. You should:

- not give pupils your home address, home 'phone number, mobile 'phone number or e-mail address
- not send personal communications to pupils unless agreed with a senior colleague
- not make arrangements to meet pupils, individually or in groups, outside school other than on school trips authorised by the DSL or another senior colleague
- avoid contacting pupils at home unless this is strictly necessary, and you should keep a record of any such occasion
- not give a pupil a lift in your own vehicle other than on college business and with permission from the DSL or another senior colleague
- avoid inviting pupils (groups or individuals) to your home unless there is a good reason and it has been approved by management
- ensure that pupils do not see anything in your home that may cause embarrassment or that might become the subject of inappropriate gossip or rumour

Social contact: You should be aware that where you meet pupils or parents socially, such contact could be misinterpreted as grooming. Any social contact that could give rise to concern should be reported to a senior colleague.

Friendships with parents and pupils: Members of staff who are friends with parents of pupils or who, for example, are voluntary workers in youth organisations attended by pupils, will of course have contact with those pupils outside school. However, members of staff should still respect the above advice wherever possible and should keep the DSL informed of such relationships.

Scope of application of code on contact outside school: The same guidelines should be applied to after-school clubs, school trips, and especially trips that involve an overnight stay away from the college where there are separate, more detailed guidelines for school trips. The principles of this guidance also apply to contact with pupils or young people who are pupils at another school.

After school activities: When taking part in after school activities, you should:

- be accompanied by another adult unless otherwise agreed with a senior colleague
- undertake a risk assessment
- obtain parental consent

Communication with pupils

Communicating with pupils and parents: All communication with pupils or parents should conform to college policy and be limited to professional matters. Except in an emergency communication should only be made using Acorn House College property.

Application: These rules apply to any form of communication including new technologies such as mobile 'phones, web-cameras, social networking websites and blogs.

Code of conduct for photographs and videos

Permission required: You are entitled to take photographs or videos of your students, provided that they embrace everyday activities such as: trips, outings, special events, etc. Otherwise you seek the consent of a senior member of staff.

Provided there are no names attached to any photographs or videos you take of students, there are no issues relating to Data Protection legislation. None the less, with regard to child protection, you should be cautious and familiarize yourself with the guidance below, seek advice from the DSL or another senior colleague or from the Information Commissioner's Office directly.

Guidance where permission obtained: The following should be considered:

- the purpose of the activity should be clear as should what will happen to the photographs or videos. You must be able to justify images in your possession
- all images should be made available in order to determine acceptability
- images should not be made during one-to-one situations
- if an image is to be displayed in a place to which the public have access it should not display the pupil's name. Similarly where a pupil is named (in a school prospectus, for example) the name should not be accompanied by a photograph or video

- all images of pupils should be stored securely and only accessed by those authorised to do so

Appropriate material: You must ensure pupils are not exposed to inappropriate or indecent images. Inappropriate material, such as pornography, should not be brought to work and you must not use Acorn House College property to access such material. You should not allow unauthorised access to Acorn House College equipment and should keep your computer passwords safe. If you discover material that is potentially illegal, you must isolate the equipment and contact the DSL under the college's Child Protection Procedures immediately.

Confidentiality and data protection

Treatment of pupil information: You should respect the privacy of pupils, parents and colleagues and should not pass information about, for example, addresses or telephone numbers to others, without checking first with the person concerned.

Consent required: Lists of pupils'/parents' names and addresses must not be used for any purpose without the consent of the Principal. Information about pupils, parents or colleagues should never be disclosed to telephone enquirers. You should ask the enquirer to put the request in writing so that it can be dealt with appropriately.

Duty to disclose confidential information: You may have to disclose information, for example where abuse is alleged or suspected. In such cases, there is a duty to pass on the information immediately, but only to the DSL under the College's Child Protection Procedures. The storing of personal information must not breach the Acorn House College London's Data Protection Policy. Note: never give an undertaking of confidentiality to a pupil where child protection issues are involved (see separate Child Protection Policy).

Gifts and rewards

If a gift is received: If you receive a gift you should:

- declare the gift where there is a possibility it could be misconstrued, or in any event where the gift is of a value of more than £25. The Principal may in his/her absolute discretion require you to decline the gift
- decline outright gifts that could be seen as a bribe or that have created an expectation of preferential treatment. Although it is accepted for parents or pupils to make small gifts to show appreciation, you must not receive gifts on a regular basis or receive anything of significant value

Giving gifts and rewards: Where you are thinking of giving a gift or reward:

- it should only be provided as part of an agreed reward system
- in all cases except the above, the gift or reward should be of little value and should be distributed equally
- selection processes should be fair and where possible should be agreed by more than one member of staff

Allocation of gifts and rewards: Decisions regarding entitlement to benefits or privileges such as admission to school trips, activities or classroom tasks must avoid perceptions of bias or favouritism. The selection process must be based on transparent criteria.

Reporting and criminal offences

Whistleblowing: You should report any activities or behaviour of colleagues that give you cause for concern. You should be familiar with the College's Whistleblowing policy which forms part of the employment manual.

Duty of disclosure: You are required immediately to notify the principal if you are charged or convicted of any criminal offence, if you receive a police caution, reprimand or warning, or if there is a formal child protection investigation of you or any member of your household under section 47 of the Children Act 1989 as amended.

In addition to being gross misconduct, it is a criminal offence under the Sexual Offences Act 2003 for a person aged 18 or over who is in a position of trust in relation to another person under 18 to engage in sexual activity with that person. Sexual activity is defined broadly and does not have to include physical contact. The offence is punishable by up to six months' imprisonment and/or an unlimited fine. For the purposes of the Act, a teacher is in a position of trust in relation to pupils at the school at which he or she is teaching. It should be noted, however, as explained above, that forming inappropriate relationships with pupils or young people who are pupils or students at another school may also be regarded as gross misconduct. Such behaviour tends to bring Acorn House College into disrepute and gives rise to concern that the staff involved cannot be trusted to maintain professional boundaries with pupils and students at the College.

The Sexual Offences Act 2003 also introduced the offence of "meeting a child following sexual grooming". This applies where an adult arranges to meet a child aged under 16 in any part of the world, if he has met or communicated with that child on at least two earlier occasions and intends to commit a sexual offence against that child. The law is clearly intended to apply where adults contact pupils through the internet. However, the prior meetings or communications need not have an explicitly sexual content.

Most sexual activity involving a person under the age of 16 (male or female) is an indecent assault which is both a criminal offence and a matter for which damages can be awarded. This is so, even when the younger person is alleged to have provoked or encouraged the activity.

The Education (Prohibition from Teaching or Working with Children) Regulations 2003 (SI 2003/1184) and the Education (Provision of Information by Independent Schools) (England) Regulations 2003 (SI 2003/1934) require that where an employee is dismissed for being unsuitable to work with pupils or relating to the person's health where a relevant issue is raised (or resigns to avoid such dismissal), he or she must be reported to the Disqualification and Barring Service (DBS) or the National College for teaching and Leadership (NCTL) and may be barred or restricted from teaching or working with pupils.

Every complaint by a pupil must be taken seriously and investigated. It may be necessary to involve social services who may themselves involve the police if there are grounds for thinking that a criminal offence has been committed.

Under section 5B of 2003 FGM (Female Genital Mutilation) Act all staff have a duty to report instances of FGM if they discover that an act of female genital mutilation appears to have been carried out. This could be because a girl has disclosed this information to the staff member.

Consequences of breaching this policy

The School's position: It is in your interests to follow this policy so as to maintain standards of behaviour and your own professional reputation. A breach of this policy may be treated as misconduct and will render you liable to disciplinary action including in serious cases, dismissal.