



Phoenix St. Peter Academy

Code of Conduct for Staff, Volunteers, Trainees, IEB/Governors and Adult Visitors 2023 / 2024

Audience:	Academy staff and volunteers Work placement students Contactors IEB / Local Governing Body Parents/Carers
Approved:	September 23 by IEB
Other related policies:	Safeguarding and child protection, Health and Safety; Whistleblowing, Positive Behaviour, PSHE / RSHE, Performance Management and Appraisal
Policy owner:	Matthew Jordan, Executive Headteacher Revision and review August 2023
Review:	Annually
Version number:	4 - September 2023



1. Background

All adults who come into contact with children in their work have a duty of care to safeguard and promote their welfare. This duty of care and responsibilities are clearly set out in Part 1 of Keeping Children Safe in Education, 2023.

The Children Act 2004, through the Stay Safe outcome of the 'Every Child Matters Change for Children' programme, places a duty on schools to safeguard and promote the well-being of children. This includes the need to ensure that all adults who work with or on behalf of children are competent, confident and safe to do so.

The vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment which secures the well-being and very best outcomes for children in their care. However, it is recognised that in this area of work tensions and misunderstandings can occur. It is here that the behaviour of adults can give rise to allegations of abuse being made against them. Allegations may be malicious or misplaced. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned.

Equally, it must be recognised that some allegations will be genuine and there are adults who will deliberately seek out, create or exploit opportunities to abuse children. It is therefore essential that all possible steps are taken to safeguard children and ensure that the adults working with them are safe to do so.

It has been suggested that there is a need for clearer advice about what constitutes illegal behaviour and what might be considered as misconduct. This document has been produced in response to these concerns and provides practical guidance for anyone who works with, or on behalf of children regardless of their role, responsibilities or status. It seeks to ensure that the duty to promote and safeguard the wellbeing of children is in part, achieved by raising awareness of illegal, unsafe and inappropriate behaviours.

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

It is also recognised that not all adults who work with children work as paid or contracted staff. The principles and guidance outlined in this document still apply and should be followed by any adult whose work brings them into contact with children at our school.

The term 'child / children' is used throughout this guidance to apply to all children who come in to contact with any adult working or volunteering at Phoenix St. Peter Academy.



1.1. Purpose of Guidance

It is important that all staff, volunteers, governors and visitors (including work experience placements) (*for brevity the term "staff" includes all of these adults*) working with children understand that the nature of their work and the responsibilities related to it, places them in a position of trust. This practical guidance provides clear advice on appropriate and safe behaviours for all staff working with children in paid or unpaid capacities, in all settings and in all contexts for Phoenix St. Peter Academy. The guidance aims to:

- keep children safe by clarifying which behaviours constitute safe practice and which behaviours should be avoided
- assist staff and other adults working with children to work safely and responsibly and to monitor their own standards and practice
- support the Senior Leadership of our school in giving a clear message that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken
- support safer recruitment
- minimise the risk of misplaced or malicious allegations made against staff or other adults who work with children
- reduce the incidence of positions of trust being abused or misused

1.2. Underpinning Principles

The welfare of the child is paramount.

It is the responsibility of all staff and other adults in our school to safeguard and promote the welfare of children. This responsibility extends to a duty of care for those staff employed, commissioned or contracted to work with children.

All adults who work with children are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.

All adults should work and be seen to work, in an open and transparent way.

The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity. This is a legal, professional and moral duty under the Equalities Act 2010.

Staff should continually monitor and review their practice and ensure they follow the guidance contained in this document. Staff should follow this guidance in their day-to-day practice. It should also be referred to when taking on new work, different duties or additional responsibilities. Revisiting this guidance through induction, supervision, performance management, training programmes etc, will also help to ensure a safer children's workforce.

1.3. Context

Staff working at Phoenix St. Peter Academy have a crucial role to play in shaping the lives of children. They have a unique opportunity to interact with children in ways that are both affirming and inspiring.



This guidance has been produced to help **all adults whatever their position, role, or responsibilities** establish the safest possible learning and working environments which safeguard children and reduce the risk of staff working with them being falsely accused of improper or unprofessional conduct.

Employers have a duty of care towards their employees under the Health and Safety at Work Act 1974 which requires them to provide a safe working environment for staff and guidance about safe working practices.

- 🕒 ensure that systems are in place for concerns to be raised.
- 🕒 ensure that there is in place effective recording systems which confirm discussions, decisions and the outcomes of any actions taken.
- 🕒 ensure that staff are not placed in situations which render them particularly vulnerable.
- 🕒 ensure that all staff are aware of expectations, policies and procedures.

1.4 Making a Professional Judgement

There may be occasions and circumstances in which staff have to make decisions or take action in the best interests of the child which could contravene this guidance or where no guidance exists. Staff are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge. Such judgements should always be recorded afterwards and shared with a member of the senior management team and with the parent or carer. In undertaking these actions staff will be seen to be acting reasonably.

Staff should always consider whether their actions are warranted, proportionate, safe and applied equitably and fairly.

This means that where no specific guidance exists staff should:

- 🕒 discuss the circumstances that informed their action, or their proposed action, with the Headteacher or other senior leader and the parent/carer.
- 🕒 report any actions which could be mis-interpreted to their senior manager.
- 🕒 always discuss any misunderstanding, accidents or threats with a senior manager.
- 🕒 record any areas of disagreement about a course of action taken and if necessary, refer to a higher authority i.e. Chair of IEB/Governors, DDoE of our Cluster, or Director of Education.
- 🕒 ensure they have copies of records which confirm decisions, discussions and reasons why actions were taken including 'witness' statements.

1.5. 'Unsuitability'

The guidance contained in this document is an attempt to identify what behaviours are expected of staff who work with children. Staff whose practice deviates from this guidance and/or their professional or employment-related code of conduct may bring into question their suitability to work with children in any capacity.

This means that staff should:

- 🕒 have a clear understanding about the nature and content of this document
- 🕒 discuss any uncertainties or confusion with the Headteacher or line manager
- 🕒 understand what behaviours may call into question their suitability to continue to work with children



Section 2: Phoenix St. Peter Academy Code of Professional Conduct.

1. Duty of Care / Relationships:

All staff are accountable for the way in which they exercise authority; manage risk; use resources; and protect children from discrimination and avoidable harm.

All staff should:

- 🌟 understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached
- 🌟 always act, and be seen to act, in the child's best interests
- 🌟 avoid any conduct which would lead any reasonable person to question their motivation and intentions
- 🌟 take responsibility for their own actions and behaviour
- 🌟 keep children safe and protect them from sexual, physical and emotional harm or neglect
- 🌟 take reasonable steps to ensure the safety and well-being of children. Failure to do so may be regarded as professional neglect
- 🌟 develop respectful, caring and professional relationships with; children, their families / carers, and colleagues, and behave with integrity, maturity and good judgement
- 🌟 build open, honest and trusting relationships by respecting children, families / carers and colleagues and making them feel valued as partners
- 🌟 model emotionally literate behaviour (social and emotional skills)

1. Confidentiality

Members of staff may have access to confidential information about children. In some circumstances staff may be given highly sensitive or private information.

This means that staff:

- 🌟 are expected to treat information they receive about children in a discreet and confidential manner
- 🌟 under GDPR all staff, visitors and volunteers should avoid any communication from their own devices or personal email accounts naming children or families – remember all communication naming an individual can be seen at their request – STAY professional and use only school email accounts and devices
- 🌟 should never use confidential or personal information about a child or her / his family for their own, or others' advantage
- 🌟 must never use information to intimidate, humiliate, or embarrass a child
- 🌟 never use confidential information about a child casually in conversation or share with any person other than on a need-to-know basis
- 🌟 disclose personal information about children or their families outside of school via discussions with family and friends, social media, phone-calls etc.
- 🌟 must use initials and year group as part of radio protocol / internal phone calls
- 🌟 should seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them
- 🌟 need to know to whom any concerns or allegations should be reported.



2. Power and Positions of Trust

As a result of their knowledge, position and / or the authority invested in their role, all staff working at Phoenix St. Peter Academy are in positions of trust in relation to the children in their care. It is vital for all those in positions of trust to understand the power this can give them over those they care for and the responsibility they must exercise as a consequence of this relationship.

This means that staff should:

- ☉ always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with the potential to be misinterpreted

This means that staff should not:

- ☉ use their position to gain access to information for their own or others' advantage
- ☉ use their position to intimidate, bully, humiliate, threaten, coerce or undermine children
- ☉ use their status and standing to form or promote relationships which are of a sexual nature, or which may become so

3. Propriety and Behaviour

All staff working with children have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of their colleagues, children, the public in general, and all those with whom they work.

This means that staff should:

- ☉ be aware that behaviour in their personal lives may impact upon their work with children
- ☉ follow any codes of conduct deemed appropriate by Phoenix St. Peter Academy
- ☉ understand that the behaviour and actions of their partner (or other family members) may raise questions about their suitability to work with children
- ☉ be cautious about what they share on social media and ensure they use privacy settings – for example posts showing drunken behaviour could be seen as inappropriate conduct.

This means that staff should not:

- ☉ behave in a manner which would lead any reasonable person to question their suitability to work with children or act as a role model
- ☉ make, or encourage others to make, unprofessional personal comments which scapegoat, demean or humiliate, or which might be interpreted as such



4. Dress and Appearance

Staff should dress in ways which are appropriate to their role and this may need to be different to how they dress when not at work. This means that staff should wear clothing which is considered professional to working in a primary school. On days when you are teaching your class P.E. sportswear including trainers, tracksuits are acceptable for the session when you are teaching the subject.

Unacceptable clothing for everyday class teaching includes the following:

- ☉ Hoodies
- ☉ Trainers
- ☉ Denim
- ☉ Tracksuit tops and bottoms
- ☉ Leggings

5. Gifts, Rewards and Favouritism

The giving of gifts as rewards may be accepted practice for a group of children, whilst in other situations the giving of a gift to an individual child will be part of an agreed plan, recorded and discussed with a senior manager and the parent or carer.

This means that staff should:

- ☉ ensure that gifts received or given in situations which may be misconstrued are declared
- ☉ generally, only give gifts to an individual child as part of an agreed reward system
- ☉ where giving gifts other than as above, ensure that these are of insignificant value
- ☉ ensure that all selection processes which concern children are fair and that wherever practicable these are undertaken and agreed by more than one member of staff
- ☉ give any gifts openly and without favouritism
- ☉ not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment

6. Communication with Children (*including the Use of Technology*)

In order to make best use of the many educational and social benefits of new technologies, children need opportunities to use and explore the digital world, using multiple devices from multiple locations. It is now recognised that e-safety risks are the behaviours and values rather than the technology itself.



This means that staff should:

- ☉ ensure that personal social networking sites are set at 'private' and children and their families are never listed as approved contacts or 'friends'
- ☉ never use or access social networking sites of children
- ☉ never accept a child or parent as a friend on personal social networking sites or communicate with them via this medium
- ☉ not give their personal contact details to children, including their personal mobile telephone number
- ☉ not use internet or web-based communication channels to send personal messages to a child
- ☉ not share any personal information with a child
- ☉ not request, or respond to, any personal information from a child, other than that which might be appropriate as part of their professional role
- ☉ ensure that all communications are transparent and open to scrutiny

- ☉ *in EYFS no adult should be accessing personal mobile devices, including smart watches in the presence of children*
- ☉ *in rest of the school – adults must not use personal mobile devices accept at playtimes and lunchtimes. Staff can use these in our Staff Room / PPA room or offices away from children*

7. Social Contact

Staff should not establish or seek to establish social contact with children for the purpose of securing a friendship or to pursue or strengthen a relationship.

This means that staff should:

- ☉ have no social contact with children who attend our school, except for their own families
- ☉ be very careful to maintain professional / personal boundaries in any social contact with parents, carers or families outside of school including social media
- ☉ have no contact with children on social media platforms or accept friend requests
- ☉ advise senior management of any social contact they have with a child or a parent with whom they work
- ☉ report and record any situation, which may place a child at risk or which may compromise Phoenix St. Peter Academy or their own professional standing
- ☉ understand that social communication may be called into question and need to be justified, so act with discretion, tact and caution.

8. Physical Contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, but it is crucial that they only do so in ways appropriate to their professional role.



This means that staff should:

- ☉ be aware that even well-intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described
- ☉ never touch a child in a way which may be considered indecent
- ☉ always be prepared to report and explain actions and accept that all physical contact be open to scrutiny
- ☉ not indulge in horseplay
- ☉ always encourage children, where possible, to undertake self-care tasks independently
- ☉ work within Health and Safety regulations
- ☉ be aware of cultural or religious views about touching and always be sensitive to issues of gender
- ☉ understand that physical contact in some circumstances can be easily misinterpreted
- ☉ seek the child's permission, where feasible, before initiating contact
- ☉ listen, observe and take note of the child's reaction or feelings and – so far as is possible - use a level of contact and/or form of communication which is acceptable to the child for the minimum time necessary
- ☉ adopt a general culture of 'limited touch', where appropriate, to the individual requirements of each child
- ☉ routines such as high 5s and fist bumps, can be very important to help children feel valued, accepted and attached to role model adults
- ☉ where a child initiates inappropriate physical contact, it is the responsibility of the member of staff to sensitively deter the child and help them understand the importance of personal boundaries. Such circumstances must always be reported and discussed with a senior manager and the parent/carer.

9. Other Activities that require Physical Contact

Some staff who work in certain settings, for example sports, drama or outdoor activities or teach specific subjects such as P.E. or music, will have to initiate some physical contact with children. For example, to demonstrate technique in the use of a particular piece of equipment, adjust posture, or perhaps to support a child so they can perform an activity safely or prevent injury.

This means that staff should:

- ☉ treat children with dignity and respect and avoid contact with intimate parts of the body
- ☉ always explain to a child the reason why contact is necessary and what form that contact will take
- ☉ seek consent of parents where a child is unable to do so because of a disability
- ☉ consider alternatives, where it is anticipated that a child might misinterpret any such contact be familiar with and follow recommended guidance and protocols
- ☉ conduct activities where they can be seen by others
- ☉ be aware of gender, cultural or religious issues that may need to be considered prior to initiating physical contact



10. Staff and the use of reasonable force (refer to DfE Use of reasonable force guidance 2013)

What is reasonable force?

1. The term 'reasonable force' covers the broad range of actions used by most staff at some point in their career that involve a degree of physical contact with children.
2. Force is usually used either to control or restrain. This can range from guiding a child to safety by the arm through to more extreme circumstances such as breaking up a fight or where a child needs to be restrained to prevent violence or injury.
3. Before any use of reasonable force or restraint, the child or children must be warned and told to 'stop' and given the chance to stop.
4. No member of staff should use reasonable force or restraint in isolation.
5. **'Reasonable in the circumstances' means using minimal force or restraint.**
6. As mentioned above, schools generally use force to control children and to restrain them. Control means either passive physical contact, such as standing between children or blocking a child's path, or active physical contact such as leading a child by the arm out of a classroom.
7. Restraint means to hold back physically or to bring a child under control. It is typically used in more extreme circumstances, for example when two children are fighting and refuse to separate without physical intervention.
8. School staff should always try to avoid acting in a way that might cause injury.

Who can use reasonable force?

- ☉ All members of school staff (not volunteers, visitors or Governors) have a legal power to use reasonable force
- ☉ This power applies to any member of staff at the school

When can reasonable force be used?

- ☉ Reasonable force can be used to prevent children from hurting themselves or others, from damaging property, or from causing disorder
- ☉ In a school, force is used for two main purposes – to control children or to restrain them
- ☉ The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

Remember that school property can be replaced or fixed, risk of injury to children and staff should be minimised at all times!



11. Children in Distress

There may be occasions when a distressed child needs comfort and reassurance and this may involve physical contact.

This means that staff should:

- ☺ use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries
- ☺ consider the way in which they offer comfort and reassurance to a distressed child and do it in an age-appropriate way
- ☺ be circumspect in offering reassurance in one-to-one situations, but always record such actions in these circumstances
- ☺ follow professional guidance or code of conduct
- ☺ never touch a child in a way which may be considered indecent
- ☺ record and report situations which may give rise to concern from either party
- ☺ not assume that all children seek physical comfort if they are distressed

12. Intimate Care

Children are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. Refer to Intimate Care policy for further information and direction

This means that staff should:

- ☺ avoid any physical contact when children are in a state of undress
- ☺ avoid any visually intrusive behaviour
- ☺ where there are changing rooms announce their intention of entering
- ☺ be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the children with whom they work

This means that staff should not:

- ☺ change in the same place as children
- ☺ shower or bathe with children
- ☺ assist with any personal care task which a child can undertake by themselves