



Staff Code of Conduct

HR15

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DOCUMENT CONTROL

Who is this policy for?

Employees, volunteers (including AAB members), trustees and members of the Trust

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1	01/11/2014	Helen Ruddle	
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3	1/12/2021	Helen Ruddle	Lower level concerns added at section 7; consultation with the JNC

1. INTRODUCTION

This code of conduct outlines the requirements of all employees, volunteers (including AAB members), trustees and members of the Trust who come into contact with children and young people in their work and whom have a legal and moral duty to keep children and young people safe and protect them from harm (sexual, physical and emotional). This duty rests on individuals taking all reasonable steps to ensure the welfare of a child or young person is paramount.

The code of conduct aims to:

- Keep children safe by clarifying which behaviours constitute safe practice and which behaviours should be avoided
- Assist adults working with children to work safely and responsibly and to monitor their own standards and practice
- Support managers and senior leaders in setting clear expectations of behaviour relevant to the services being provided
- Give a clear message that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken
- Minimise the risk of misplaced or malicious allegations made against adults who work with children
- Reduce the incidence of positions of trust being abused or misused

Failure to comply with the principles outlined within this code of conduct and the associated policies will be discussed with the individual without delay, and where appropriate will be dealt with in accordance with the Trust's Disciplinary Policy.

2. ROLES AND RESPONSIBILITIES

All employees, volunteers, trustees and members are responsible for observing the safe working practices outlined in this policy.

All employees, volunteers, trustees and members have responsibilities to ensure the safeguarding of children and to ensure that they:

- Work and behave safely and responsibly at all times to fulfil their duty of care and not abuse in any way their position of trust.
- Respond to any concerns about a child's wellbeing that they may have or are brought to their attention in line with the Academy and Local Safeguarding Children's Board (LSCB) Child Protection Policy.

- Respond in the same way to concerns that involve the behaviour of other adults in the Academy by following the Academy procedures for 'Whistle Blowing' as outlined in the Academy Child Protection Policy (available on the Academy website) and LSCB guidelines.
- Review their own practice and follow Academy policies and procedures and seek advice when unsure.
- Understand that it is professionally and morally unacceptable for employees, volunteers, trustees and members not to carry out these responsibilities.
- Report any relationships that could place children at harm/at risk of harm.

Academy responsibilities

In order for employees and volunteers to carry out these responsibilities, the Academy will ensure that:

- All new and existing employees and volunteers receive adequate child protection training as laid down in the Academy child protection and other related policies.
- All employees and volunteers are made aware and reminded of the Academy procedures for reporting concerns.
- Employee's and volunteer's concerns and opinions will be sought and taken into account in the regular review of related policies and procedures.
- All employees and volunteers are aware of the Delta Whistleblowing policy and the associated Academy procedures by which adults can voice their concerns, made in the public interest, without fear of repercussion.
- A safe working environment and guidance about safe working practices is provided.
- Employees and volunteers are treated fairly and reasonably in all circumstances.

3. DEFINITIONS

For the purpose of this policy:

- A **child** is defined as anyone who has not yet reached their 19th birthday, or is still in 6th form / full time education
- **An Employee** is defined as anyone employed or contracted to the Trust or one of its Academies
- **A Volunteer** is defined as anyone who carries out an unpaid role in a Delta Academy; this includes Academy Advisory Body (AAB) members, Trustees and Members of the Trust Board.

4. RELATED POLICIES

The following policies and guidance should also be referred to, all of which are accessible on SharePoint:

- DfE Keeping Children Safe in Education (KCSIE)
- Delta Safer Recruitment Policy
- Delta Complaints Policy
- Delta Equality and Diversity Policy
- Delta Health and Safety Policy
- Delta Online Safety Policy
- Delta Whistleblowing Policy
- Delta Gifts, Hospitality and Entertaining Policy
- Delta and Academy Learning Outside the Classroom Policy
- Delta Child Protection Statement
- Delta Care Support Guidance and Behaviour Policy (including Peer-on-Peer Abuse)
- Delta Minibus and Transport Guidance
- Delta Safeguarding and Child Protection Policy
- Delta Intimate Care Policy
- Delta First Aid, Accident and Incident Policy
- Academy Positive Handling Policy
- Delta Supporting Pupils with Medical Conditions Policy

This policy complies with the Equality Act 2010 and recognises that aspects of sex, culture or religion may be relevant when considering the nature of allegations or appropriateness of communications or physical interventions.

5. PRINCIPLES

All academies within the Trust will work within the guidelines produced by the Trust and support other academies in the Trust to ensure pupils' health, safety, welfare and well-being are fully safeguarded. The Trust, and all academies within it, is committed to Keeping Children Safe in Education. Each pupil's welfare is of paramount importance to the Trust and every child is welcomed, valued and supported to the best of our abilities and resources. This document describes the standards of conduct and practice that Delta employees and volunteers should follow when working with children.

The following principles apply to all aspects of this policy:

- If no specific advice, policies or guidelines for a specific situation exist or if you are unsure, consult a senior manager (e.g., member of the Academy Senior Leadership Team) to discuss the issue.
- If you need to take a particular course of action in an unplanned circumstance, which may vary from policies or does not allow time for advice to be sought, record these actions with a senior manager.
- If at any time you are concerned that an action or comment by yourself may be misinterpreted or that a child behaves or makes a comment in a way that causes you concern in this respect, log your concerns immediately with the appropriate senior member of staff.

6. REPORTING INCIDENTS

Employees and volunteers must:

- Be familiar with the academy's system for recording Child Protection and other concerns about children and young people
- Take responsibility for recording any incident, and passing on information where you have concerns, or concerns are disclosed to you by, or about a child/student. Do this speedily and accurately without unnecessary delay.
- Report any behaviour by colleagues that raises concern in accordance with Keeping Children Safe in Education, that either
 - a) Meet the harm threshold; or
 - b) Do not meet the harm threshold ('low level concerns' – see section 7)
- Contact the Academy Designated Safeguarding Lead (DSL), the Deputy Safeguarding Lead (DDSL) or a member of the Senior Leadership Team immediately (the same day without fail)

7. LOW LEVEL CONCERNS

In order to encourage an open and transparent culture, all concerns about adults working in the Trust, including those that don't meet the harms threshold must be shared responsibly with the Academy Designated Safeguarding Lead (DSL), the

Deputy Safeguarding Lead (DDSL) or a member of the Senior Leadership Team (SLT), recorded in writing and dealt with appropriately. This will enable the Trust to identify and address concerning, problematic or inappropriate behaviour early, minimise the risk of abuse and ensure our employees and volunteers working in or on behalf of the Trust are clear about professional boundaries and act within these boundaries and the values of the Trust.

'Low level' does not mean the concerns are not significant, only that they do not meet the harms threshold outlined in Keeping Children Safe in Education. KCSiE outlines that "a low-level concern is any concern 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 LADO" (KCSiE 2021, s.409)*

Examples of low-level concerns are outlined in KCSiE 2021 s.410.

By reporting all low-level concerns to an appropriate person, the Trust will be able to ensure they are dealt with appropriately and effectively which will protect those working in or on behalf of the Trust from potential false allegations or misunderstandings, as well as identifying any areas where systems can be improved.

Low level concerns should not be included in references unless they relate to issue that would normally be included in a reference (e.g., misconduct or poor performance). Where low level concerns relate exclusively to safeguarding, they should not be referred to in a reference. However, where a low-level concern or group of concerns does meet the threshold for referral to the LADO and is found to be substantiated, this should be referred to in a reference.

8. PROPRIETY AND BEHAVIOUR

Employees and volunteers must:

- Be aware that behaviour in your personal life may impact upon your work with children and young people
- Follow professional codes of conduct at all times
- Refrain from behaving in a manner which would lead any reasonable person to question your suitability to work with children or act as a role model.

9. CONFIDENTIALITY

Employees and volunteers must:

- Keep private and sensitive information confidential at all times in accordance with the Data Protection Act 2018 and UK GDPR and only share it with relevant people when it is in the interests of the child to do so
- Not use information to intimidate, humiliate or embarrass the child
- Be aware of the need to listen and support children whilst understanding the importance of not promising to keep secrets
- Never request a child to keep secrets

10. MAKING A PROFESSIONAL JUDGEMENT

Employees and volunteers must:

- Make judgements about their behaviour in order to secure the best interests and welfare of the child
- Record judgements taken and share them with a senior manager
- Ensure actions taken are warranted, proportionate, safe and applied equitably
- Discuss any misunderstandings, accidents or threats with a senior manager
- Be aware of their position of trust and ensure an unequal balance of power is not used for their own or others personal advantage or gratification
- Not use their position to intimidate, bully, humiliate, threaten, coerce or undermine
- Maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others
- Not promote relationships which create a personal friendship or are of a sexual nature, or which may become so

11. PERSONAL/LIVING SPACE

Employees and volunteers must:

- Not invite a child/student into their home or any home or domestic setting frequented by them, unless the reason for this has been firmly established and agreed with parents and senior managers or the home has been designated as a workplace e.g., childminders, foster carers
- Be vigilant in maintaining their own privacy and mindful of the need to avoid placing themselves in vulnerable situations
- Not ask children to undertake personal jobs or errands
- Maintain professional boundaries

12. GIFTS, REWARDS AND FAVOURITISM

Employees and volunteers must:

- Be aware of the Delta Gifts and Hospitality policy which covers both the giving and receiving of gifts
- Ensure that all gifts received or given in situations that may be misconstrued are declared
- Only give gifts to an individual child as part of an agreed reward system
- Ensure that when operating reward systems, methods and criteria for selection of children for awards are fair and transparent

13. INFATUATIONS

Employees and volunteers must:

- Deal with infatuations sensitively and appropriately to maintain the dignity and safety of all concerned
- Make sure their own behaviour is beyond reproach
- If they become aware of an infatuation developing or any indications that it may, record it and discuss it with a senior manager so that action can be taken to avoid any hurt, distress or embarrassment

14. COMMUNICATION (INCLUDING THE USE OF TECHNOLOGY)

Employees and volunteers must:

- Be aware of and comply with the Delta Online Safety policy
- Ensure communication takes place within clear and explicit professional boundaries; this includes the wider use of technology such as mobile phones, text messaging, e-mails, digital cameras, videos, webcams, websites and blogs which must be used in accordance with the Delta Online Safety policy
- Not share any personal information with a child
- Not request, or respond to, any personal information from a child, other than that which may be appropriate as part of their professional role
- Not give their personal contact details to children, including their mobile number, home phone or personal e-mail address
- Only use equipment e.g., mobile phones, provided by the Trust or an Academy to communicate with children, making sure that parents/carers have given permission for this form of communication to be used
- Only make contact with children for professional reasons and in accordance with Academy policy
- Only use text messaging as a last resort when no other forms of communication are possible
- Not use internet or web-based communication channels to send messages
- Use internal e-mail systems in accordance with the Delta Online Safety policy

15. SOCIAL CONTACT

Employees and volunteers must:

- Not have social contact with current or former pupils/students unless the reason for this has been firmly established and agreed with Senior Managers
- Not have secret social contact with children and/or their parent(s)
- Always approve any planned social contact with current or former pupils/students with senior colleagues

- Advise senior management of any social contact that has occurred which may raise concern
- Report and record any situation which may place a child at risk or may compromise the Trust, the Academy or their own professional standing. Where the employee/volunteer is unsure whether to report a situation, they must discuss this with the DSL or a senior member of staff

16. SEXUAL CONTACT

Employees and volunteers must:

- Not engage in sexual activity with or in the presence of a child, or cause or incite a child to engage in or watch sexual activity; to do so is likely to be considered a criminal offence
- Refrain from any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative, i.e., verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact
- Not discuss their own sexual relationships with or in the presence of children or young people
- Ensure that your relationships with children and young people clearly take place within the boundaries of a respectful professional relationship
- Ensure language, attitudes and demeanour do not give rise to comment or speculation
- Be aware that consistently conferring inappropriate special attention and favour upon a child might be construed as part of a grooming process, and as such will give rise to concerns about behaviour
- Be aware that staff and volunteers **MUST NOT** have sex with a child under 16 – this is statutory rape and could result in a criminal conviction and prison sentence
- Be aware that staff and volunteers **MUST NOT** have sex with any student over the age of 16. It is a breach of trust
- Avoid making sexual remarks to, or about, a child/young person

17. PHYSICAL CONTACT

Employees and volunteers must:

- Be aware of and comply with the Academy Positive Handling Policy
- 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
- Only have physical contact with a child when it is necessary and in ways which are appropriate to their professional or agreed role and responsibilities; never touch a child in a way which may be considered indecent
- Be aware of the child's reactions or feelings and, as far as possible, only use a level of contact which is acceptable to the child and for the minimum time necessary
- Seek permission from the child or the parent, if the child is very young, before physical contact is made and agree what contact is acceptable
- Not assume that when a child is distressed, they seek physical comfort
- Always be prepared to report and explain actions and accept that all physical contact is open to scrutiny
- Not indulge in horse play
- Always encourage children, where possible to undertake self-care tasks independently
- Be aware of cultural or religious views about touching and be sensitive to issues related to gender
- Where regular physical contact is required, the nature of this must be agreed with senior management and the parent as part of a formally agreed plan
- Where a child initiates inappropriate physical contact, you must sensitively deter them and help them understand the importance of personal boundaries and report this to the DSL, DDSL or member of SLT without delay.

18. BEHAVIOUR MANAGEMENT

Employees and volunteers must:

- Be aware of and comply with the Delta Care Support Guidance and Behaviour Policy

- Not use any form of degrading treatment to punish a child
- Not use sarcasm, demeaning or insensitive comments
- Ensure any sanctions and rewards are part of an agreed behaviour management policy
- Try to defuse situations before they escalate
- Never use corporal punishment
- Follow the behaviour policy and only use physical intervention in exceptional circumstances and as a last resort, when other behaviour management strategies have failed and where there is a risk of physical injury or serious damage to property
- When using physical intervention, use the minimum force necessary and techniques in-line with recommended policy and practice and always report and document the incident
- Be mindful of other factors which may be impacting on a child's behaviour, i.e., bullying, changes in home and/or personal circumstances

Note: the use of unwarranted physical force is likely to constitute a criminal offence.

19. PERSONAL/INTIMATE CARE

Employees and volunteers must:

- Be aware of and comply with the Delta Intimate Care Policy (N.B. the Trust requires intimate care to be carried out by appropriately trained employees only)
- Make other staff aware of the task being undertaken
- Explain to the child what is happening
- Carefully and sensitively observe the emotional responses of the child, and record and report any concerns to senior management and parents, if appropriate
- Respect children's privacy at all times
- Avoid any physical contact when children are in a state of undress, other than as part of an agreed care plan
- Not change, in the same place as children

- Not shower or bathe with children
- Not assist with any personal care task which a child can undertake themselves

20. FIRST AID AND THE ADMINISTRATION OF MEDICINE

Employees and volunteers must:

- Be aware of and comply with the Delta First Aid, Accident and Incident policy and the Delta Supporting Pupils with Medical Conditions Policy
- Be suitably trained and qualified before administering first aid and/or any agreed medication
- Ensure arrangements are in place to obtain parental consent for the administration of first aid or medication
- Make adults aware of the task being undertaken
- Explain to the child what is happening
- Ensure an appropriate health/risk assessment is undertaken prior to undertaking certain activities

21. ONE TO ONE SITUATIONS/HOME VISITS

Employees and volunteers must:

- Avoid home visits wherever possible
- Ensure that, when lone working is an integral part of their role, full and appropriate risk assessments have been agreed
- Avoid meetings with a child in secluded areas
- Always inform colleagues and/or parents about one-to-one contact beforehand, assessing the need to have them present or close by
- Avoid the use of engaged or equivalent signs, wherever possible, these create an opportunity for secrecy or the impression of secrecy
- Carefully consider the need of the child when in one-to-one situation and always report any situation where the child becomes distressed or angry towards you

- Agree the purpose for any home visit with senior management unless it is an acknowledged and integral part of your role
- Never put yourself into a one-to-one situation when little or no information is available about the child

22. TRANSPORT

Employees and volunteers must:

- Be aware of and comply with the Delta Minibus and Transport Guidance
- Ensure requirements around seat belts and car seats are adhered to
- Not offer lifts outside normal working duties unless this has been brought to the attention of and agreed with senior management and been agreed with parents
- Ensure they are fit to drive and free from any drugs, alcohol or medicine that is likely to impair judgement or ability to drive
- Record details of the journey in accordance with the Delta Minibus and Transport Guidance
- Ensure that there are proper procedures in place for vehicle, passenger and driver safety, including appropriate insurance
- Ensure that any impromptu or emergency lifts are recorded and can be justified if questioned

23. EDUCATIONAL VISITS

Employees and volunteers must:

- Be aware of and comply with the Delta and Academy Learning Outside the Classroom Policy
- Recognise that they are in a position of trust and ensure that their behaviour remains professional at all times and stays clearly within defined boundaries
- Ensure staff/child ratios and gender mix are appropriate
- Always have another adult present in out of work activities, unless otherwise agreed with a senior manager

- Ensure risk assessments are undertaken
- Have parental/carer consent to the activity
- Never share beds with children
- Not share bedrooms with children, unless this is a direct action to ensure the safety of children and staff and following a risk assessment being completed by at least two responsible adults in attendance (e.g., taking emergency shelter overnight in a hut on the hill side due to adverse weather conditions where multiple rooms are not available)

24. PHOTOGRAPHS AND VIDEOS

Employees and volunteers must:

- Be aware of and comply with the Delta Online Safety policy
- Be clear about the purpose of any activity involving photography and what will happen to the images when the activity is concluded
- Be able to justify the reason for having images of children in their possession
- Avoid making images in one-to-one situations or situations that may be construed as secretive or which show a single child with no surrounding context
- Only use equipment provided or authorised by the Trust or the Academy
- Immediately report any concerns if any inappropriate or intrusive images are found
- Have parental consent to take, display and/or distribute any images of children as documented in the parental consent form
- Not use images that may cause distress or offence
- Not use personal mobile phones or any other personal devices that have a camera to take images of pupils/students

25. ACCESS TO INAPPROPRIATE IMAGES AND INTERNET USAGE

Employees and volunteers must:

- Be aware of and comply with the Delta Online Safety policy
- Not access, make or store indecent images of children on the internet, to do so would be illegal and lead to a criminal investigation
- Not make or store images of children, gathered as a result of their work, on personal equipment
- Ensure that children are not exposed to unsuitable material through ICT
- Ensure that any materials shown to children are age appropriate
- Immediately report any concerns, if any inappropriate or intrusive images are found, to the LADO

26. MONITORING AND REVIEW

Through monitoring and review, the Trust will ensure that

- Individual records will be treated as confidential, held securely and in accordance with the Data Protection Act 2018 and UK General Data Protection Regulation (UK GDPR), the Trust's Data Protection Policy and the Trust's Data Retention Policy
- Consistency of application and adherence to Equality legislation
- An Equality Impact Assessment is completed

This policy will be reviewed every three years, or when there are changes to relevant legislation by the Trust in conjunction with recognised Trade Unions.