



**Five
Rivers®**

Education
Safeguarding
Code of
Conduct for
Staff

Five Rivers is committed to Working Together to Safeguard Children and young people and expects all staff and volunteers to share this commitment'

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1. Code of Conduct

1.1 Exercise of Professional Judgement

This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight, however, behaviour that is illegal, inappropriate or inadvisable. Individuals are expected to make judgements about their behaviour, in order to secure the best interests and welfare of the students in their charge and in so doing, will be seen to be acting reasonably.

This means that where no specific guidance exists staff should:

- discuss the circumstances that informed their action, or their proposed action, with a senior colleague. This will help to ensure that the safest practices are employed and reduce the risk of actions being misinterpreted.
- always discuss any misunderstanding, accidents or threats with a senior manager
- record discussions and actions taken, giving justification where appropriate.

1.2 Power and Positions of Trust

As a result of the authority invested in their role, all adults working with children, young people and vulnerable adults in education settings are in positions of trust in relation to the young people in their care. A relationship between a member of staff and a student cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people, and staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Wherever possible, staff should avoid behaviour which might be misinterpreted by others, and report and record any incident with this potential.

This means that staff should not:

- use their position to gain access to information for their own advantage and/or a student or family's detriment; use their power to intimidate, threaten, bully, coerce or undermine students
- use their status and standing to form or promote relationships with students, which are of a sexual nature
- display behaviour that may be viewed as favouritism.

Where a person aged 18 or over is in a position of trust with a student under 18, it is an offence for that person to engage in any sexual activity with or in the presence of that student, or to cause or incite that student to engage in or watch sexual activity.

1.3 Confidentiality

Members of staff may have access to confidential information about students in order to undertake their everyday responsibilities. In some circumstances staff may be given additional highly sensitive or private information. They should never use confidential or personal information about a student or his/her family for their own, or others' advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, or embarrass the student.

Confidential information about a child or young person should never be used casually in conversation or shared with any person other than on a need-to-know basis. In circumstances where the student's identity does not need to be disclosed, the information should be used

anonymously.

There are some circumstances in which a member of staff may be expected to share information about a student, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on, without delay, to the staff with designated child protection responsibilities. If a member of staff is in any doubt about whether to share information or keep it confidential, they should seek guidance from their DSL.

This means that staff:

- are expected to treat information they receive about children and young people in a discreet and confidential manner
- who are in any doubt about sharing information they hold or which has been requested of them, should seek advice from a senior member of staff
- need to be cautious when passing information to others, even a parent, about a child/young person
- need to be vigilant that they do not inadvertently betray confidences in casual conversations with colleagues in staff rooms, corridors and in emails.

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, students and the public in general. There are risks involved with social networking sites.

This means that staff should not:

- behave in a manner which would lead any reasonable person to question their suitability to work with students or act as a role model. This applies both within and outside the working environment
- make sexual remarks to a student (including email, text messages, phone, letter or other)
- discuss their own sexual relationships with, or in the presence of, students
- discuss student sexual relationships in inappropriate settings or contexts
- have students as “friends” on social networking sites.

1.4 Dress and Appearance

A person's dress and appearance are matters of personal choice. However, staff should consider the manner of dress and appearance appropriate to their professional role, which may be different to that adopted in their personal life. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner, which could be considered as inappropriate, could render themselves vulnerable to criticism or allegation.

This means that staff should wear clothing which:

- promotes a positive and professional image
- is appropriate to their role
- is not likely to be viewed as offensive, revealing, or sexually provocative
- does not distract, cause embarrassment or give rise to misunderstanding

1.5 Infatuations

Staff need to be aware that it is not uncommon for students to be strongly attracted to a

member of staff and/or develop an infatuation. All situations should be responded to sensitively to maintain the dignity of all concerned. Staff should also be aware that such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against staff.

A member of staff, who becomes aware that a student may be infatuated with themselves or a colleague, should discuss this at the earliest opportunity with a senior colleague so that appropriate action can be taken. In this way, steps can be taken to avoid hurt and distress for all concerned.

This means that staff should:

- report any indications (verbal, written or physical) that suggest a student may be infatuated with a member of staff. This applies regardless of your relationship with the member of staff or the student. If you do not report such an incident, you are putting yourself in a vulnerable situation by observing incidents, which could be misconstrued, but not acting upon it, and therefore condoning it
- be careful when providing support to students that it is not being misconstrued.

1.6 Social Contact

Staff should not establish or seek to establish social contact with students for the purpose of securing a friendship or to pursue or strengthen a relationship. Even if a young person seeks to establish social contact, or if this occurs coincidentally, the member of staff should not enter into any social contact.

This means that staff should:

- report and record any situation which could be interpreted as compromising the school.

1.7 Physical Contact (further guidance below regarding physical intervention)

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

A 'no touch' approach is impractical for some situations and may in some circumstances be inappropriate. When physical contact is made with students this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity, disability and background. Staff should therefore use their professional judgement at all times. Staff should be particularly aware of the possible implications of making physical contact in a situation when they are alone with the student.

If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded as soon as possible and discussed with their line manager.

Extra caution may be required where it is known that a student has suffered previous abuse or neglect. In the student's view, physical contact might be associated with such experiences and lead to staff being vulnerable to allegations of abuse.

This means that staff should:

- be aware that even well-intentioned physical contact may be misconstrued by the student, an observer or by anyone to whom this action is described.

- never touch a student in a way which may be considered indecent.
- always be prepared to explain actions and accept that all physical contact be open to scrutiny.

1.8 Disclosures About Personal Life, Background and Opinions

Staff should be cautious when speaking to students about their personal life, background and opinions. This does not mean that any disclosures are inappropriate.

This means that staff should:

- never discuss their sex life with students
- not cause students to feel at all responsible for a member of staff's personal situation or uncomfortable about the level of detail being disclosed
- present balanced viewpoints when discussing politically or socially sensitive issues.

1.9 Pupils in Distress

There are many occasions when a distressed student needs comfort and reassurance. This may include physical contact. Staff should always remain self-aware in order that their contact is not threatening, intrusive or subject to misinterpretation. If staff are concerned that a student may cause themselves harm please contact the DSL and/or deputy for advice.

This means that staff should:

- consider the way in which they offer comfort to a distressed student.
- always tell a colleague when and how they offered comfort to a distressed student.

1.10 Behaviour Management

All students have a right to be treated with respect and dignity. The use of humour can help to defuse a situation. The use of sarcasm, demeaning or insensitive comments towards students is not acceptable in any situation.

This means that staff should:

- follow our Behaviour Management Support policy
- not use force as a form of punishment
- try to defuse situations before they escalate
- keep parents/carers informed of any sanctions as appropriate.

1.11 Sexual Contact with Young People

Any sexual behaviour by a member of staff with or towards a child or young person is both inappropriate and illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether the child or young person consents or not. The Sexual Offences Act

2003 makes it a criminal offence for a person over the age of 18, in a position of trust, to engage in any sexual activity with a child under 18. This applies even if the member of staff does not teach or support the child directly.

The sexual activity referred to does not just involve physical contact including penetrative and non- penetrative acts. It may also include non-contact activities, such as causing students to engage in or watch sexual activity or the production of pornographic material.

Staff should be aware that conferring special attention and favour upon a student might be construed as being part of a 'grooming' process, which is an offence.

This means that staff should:

- not pursue sexual relationships with children and young people either in or out of school
- avoid 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.

1.12 Educational Visits and After School Activities

Staff should take particular care when supervising students on any activity. During school activities that take place off the school site or out of school hours, a more relaxed discipline or informal dress and language code may be acceptable. However, staff remain in a position of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

Health and Safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in an out of school activity.

This means that staff should:

- conduct a risk assessment, signed and agreed by your manager before the trip goes ahead
- always have another adult present in out of school activities, unless otherwise agreed with senior staff in school
- ensure that their behaviour remains professional at all times
- staff should never smoke or drink alcohol when supervising students.

1.13 Photography, Videos, Creative Arts

Parental consent will be expected before. Many school activities involve recording images. These may be undertaken as part of the curriculum, extra school activities, for publicity, or to celebrate achievement. Staff should remain sensitive to any students who appear uncomfortable and should recognise the potential for misinterpretation.

Certain photos or images of individuals we use in school would be considered as “personal data” under the Data Protection Act – particularly where the individual is the focus of the image, and the image includes biographical facts about that individual. Staff must only take photographs on their work phone and ensure that such images are handled properly, in line with the School’s Data Protection Policy.

In particular, staff are expected to:

- think about the individuals concerned - ensuring that the way the image is obtained or used is fair to them and is not likely to cause them distress
- be aware of the potential for misuse of personal data by others – particularly if it is put on the website
- ensure images are securely stored and used only by those authorised to do so.

This means that staff should:

- be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded

- ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose
- ensure that all images are available for scrutiny in order to screen for acceptability.
- be able to justify images of students in their possession
- avoid using DVD / film footage with age ratings above the teaching group age
- This means that staff should not: take, display or distribute images of students unless they have written consent to do so.

1.14 Mobile phones and cameras

Pupils are not allowed to use mobile phones in school, unless specifically identified in their individual support plan (ISP). Staff must monitor all use during education.

Staff are given a work mobile for use in school and must only have out for the purpose of education. Staff should not be using their phone socially when they are supervising pupils.

Staff are allowed to bring their personal phones to school for their own use but will limit such use to non-contact time when pupils are not present. Staff members' personal phones will remain in a secure place during contact time with pupils.

Staff will not take pictures or recordings of pupils on their personal phones or cameras.

We follow the General Data Protection Regulation and Data Protection Act 2018 when taking and storing photos and recordings for use in the school.

2. Managing allegations and low-level concerns

2.1 Raising the concern

All concerns about the behaviour or conduct (including outside of school) of a member of staff, an adult working on behalf of the school or an individual or organisation using the school premises will be initially raised to the headteacher. The headteacher, with guidance and support from the Senior Education Team will consider whether the threshold for harm is met and ensure the appropriate initial action is taken. Any concern must be passed on verbally and in writing to the Head Teacher. If the concern relates to the headteacher, this must be passed to the Head of Education James Hall or CEO Nicci Willock in writing (via email is acceptable)

2.2 Record Keeping

All concerns will be recorded by the person who is raising the concern. In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken.

Records will be:

- Kept confidential, held securely and comply with the DPA 2018 and UK GDPR.
- Include copies of statements, discussions, meeting minutes, referrals and outcomes.
- Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our Disciplinary Procedures or, where a pattern of behaviour moves

from a low-level concern to meeting the harm threshold, we will refer it to the designated officer at the local authority (LADO).

- Retained at least until the individual leaves employment at the school.

Where a low-level concern relates to a supply member of staff, a contractor or an organisation or individual using our premises, we will notify the individual's employer so any potential patterns of inappropriate behaviour can be identified. The school will continue to record these concerns and all subsequent actions taken.

2.3 Allegations that may meet the harm threshold

This section is based on 'Section 1: Concerns that may meet the harm threshold' in part 4 of Keeping Children Safe in Education 2024'.

This section applies to all cases in which it is alleged that a member of staff, including a supply member of staff, volunteer or contractor, has:

- Behaved in a way that has harmed a child, or may have harmed a child, and/or
- Possibly committed a criminal offence against or related to a child, and/or
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children, and/or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children – this includes behaviour taking place both inside and outside of school.

If we're in any doubt as to whether a concern meets the harm threshold, we will consult our Five Rivers Head of Safeguarding and/or Five Rivers HR. We will consult with our local authority designated officer (LADO) if their procedures allow this prior to referral.

We will deal with any allegation of abuse:

- quickly, fairly and consistently
- provide effective protection for the child and support the person subject to the allegation, and
- apply common sense and judgement

A 'case manager' will lead any investigation. This will be determined by the headteacher, or the Head of Education where the headteacher is the subject of the allegation, or the Board where the Head of Education is the subject of the allegation.

2.4 Concerns that do not meet the harm threshold

This section is based on 'Section 2: Concerns that do not meet the harm threshold' in part 4 of Keeping Children Safe in Education 2024'.

This section applies to all concerns (including allegations) about members of staff, including supply teachers, volunteers and contractors, which do not meet the harm threshold set out in section 1 above.

Concerns may arise through, for example:

- Suspicion.
- Complaint.
- Safeguarding concern or allegation from another member of staff.

- Disclosure made by a child, parent or other adult within or outside the school.
- Pre-employment vetting checks.

We recognise the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children.

2.5 Allegations against supply staff and all contractors, including organisations and individuals using our premises

If there are concerns or an allegation is made against someone not directly employed by the school, such as a supply member of staff or contracted staff member provided by an agency, we will take the actions below in addition to our standard procedures.

We will not decide to stop using an individual due to safeguarding concerns without finding out the facts and liaising with the LADO.

The head teacher will discuss with the agency whether it is appropriate to suspend the individual or redeploy them to another part of the school while the school carries out the investigation.

We will involve the agency fully, but the school will take the lead in collecting the necessary information and providing it to the LADO as required.

We will address issues such as information sharing, to ensure any previous concerns or allegations known to the agency are taken into account (we will do this, for example, as part of an allegations management meeting or by liaising directly with the agency where necessary).

When using an agency, we will inform them of our process for managing allegations, and keep them updated about our policies as necessary, and will invite the agency's HR manager or equivalent to meetings as appropriate.

2.6 Definition of low-level concerns

The term 'low-level' concern is any concern – no matter how small – that an adult working in or on behalf of the school 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 designated officer at the local authority.

Examples of such behaviour could include, but are not limited to:

- Being overly friendly with children.
- Having favorites.
- Humiliating pupils.
- Not adhering to school policy on use of mobile phones, including the use of social media.
- Behaviour outside of school that may impact on the reputation of Five Rivers.

2.7 Sharing of low-level concerns

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to confidentially share low-level concerns so that they can be addressed appropriately.

We will create this culture by:

- Ensuring staff are clear about what appropriate behaviour is and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others.
- Empowering staff to share any low-level concerns.
- Empowering staff to understand that there is an open-door policy with the head teacher and DSL.
- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage.
- Providing a responsive, sensitive and proportionate handling of such concerns when they are raised.
- Helping to identify any weakness in the school's safeguarding system.

2.8 Responding to low-level concerns

If the concern is raised via a third party, the headteacher will collect evidence where necessary by speaking:

- Directly to the person who raised the concern
- To the individual involved and any witnesses

The headteacher will use the information collected to categorise the type of behaviour and determine any further action, in line with the school's Code of Conduct. The headteacher will be the ultimate decision-maker in respect of all low-level concerns, though they may wish to collaborate/consult with the DSL.