**Pear Tree School Incorporating PiPs Before and After School Club**



 ****

|  |  |
| --- | --- |
| **Date agreed** | **March 2023** |
| **Date for Review** | **March 2026** |
| **Head Teacher** | **Boo Edleston** |
| **Chair of Governors** | **Simon Holden** |
| **Signed on behalf of the Governing body by:****Name:**  | **Signature:****Date:**  |
| **Signed by on behalf of the School by:****Boo Edleston****Head Teacher** | **Signature:****Date:** |

**Staff Code of Conduct**

“Pear Tree Primary School After School club is committed to safeguarding and promoting the welfare of its children and expects all staff and volunteers to share in this commitment.”

**INTRODUCTION**

 The Governing body and all staff at Pear Tree Primary School Primary School and Pips Before and After School Club will foster a culture of the highest professional standards. The code of conduct sets out the standards expected and the duty upon staff, volunteers and governors to abide by it. All staff, governors and volunteers have a duty to keep pupils and themselves safe and to protect them from harm. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviours by adults that demonstrates integrity, maturity and good judgement. Following this code of conduct will help to safeguard staff, governors and volunteers from being maliciously, falsely or mistakenly suspected or accused of professional misconduct in relation to pupils. These guidelines should be considered in conjunction with the school’s policies on safeguarding children, anti-bullying, whistleblowing, behaviour, use of physical restraint and e safety policies.

 **GUIDELINES FOR STAFF**

**Private meetings with pupils:**

 Staff working in one to one situations with pupils are more vulnerable to allegations. Staff must recognise this possibility and conduct such meetings or sessions accordingly. Where possible, such meetings should be conducted in a room with visual access, or with the door open, or in a room or area which is likely to be frequented by other people, and where possible another pupil or adult should be present or nearby. Where this is not possible staff should ensure that another adult knows that the meeting is taking place. Pre-arranged meetings with pupils away from the school premises must only be arranged with the specific permission of the headteacher.

**Physical Contact and personal privacy**:

There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their role. Touching pupils, including well-intentioned gestures such as putting a hand on the shoulder or arm, can, if repeated regularly, cause concern. Any form of physical punishment of pupils is unlawful as is any form of physical response to misbehaviour unless it is by way of restraint. As a general principle staff should not make gratuitous physical contact with their pupils unless the justification for this is part of a formally agreed plan (e.g. in relation to pupils with SEN or physical disability). There may be occasions where a distressed pupil needs comfort and reassurance which may include physical comforting such as a caring parent would give. Staff should use their discretion in such cases to ensure that what is, and what is seen to be by others present, normal and natural does not become unnecessary and unjustified contact, particularly with the same pupil over a period of time. Where a member of staff has a particular concern about the need to provide this type of care and reassurance s/he should seek the advice of the headteacher. Staff are likely to come into physical contact with pupils from time to time in the course of their duties such as when showing a pupil how to use a piece of apparatus or equipment or demonstrating a move or exercise during PE. Staff should be aware of the limits within which such contact should properly take place and of the possibility of such contact being misinterpreted. There may be occasions where it is necessary for staff to restrain a pupil physically to prevent him/her from inflicting injury to others or his/herself, damaging property, causing a criminal offence or engaging in behaviour prejudicial to good order and to maintain good order and discipline. These circumstances are covered by the 1996 Education Act. In such cases only the minimum force necessary may be used and any action taken must be to restrain the pupil. Where a member of staff has taken action to physically restrain a pupil s/he should make a report of the incident to the headteacher. Staff should use the Team Teach techniques they have training in in any situations where pupils need to be restrained.

Staff should not offer lifts to pupils unless the need for this has been agreed by a manager and there should be at least one adult additional to the driver acting as an escort.

**Caring For Pupils with Particular Problems:**

 Staff who have to administer first aid should ensure wherever possible that other children or another adult are present if they are in any doubt as to whether necessary physical contact could be misconstrued. Wherever possible staff who have to help children with toileting difficulties should be accompanied by another adult, and pupils should, wherever possible, be encouraged to change themselves. It is accepted that there will be some situations where pupils will present particular problems for staff and the emphasis will be on what is reasonable in all the circumstances. Relationships and Attitudes All staff should clearly understand the need to maintain appropriate boundaries in their dealings with pupils. All staff should ensure that their relationships with pupils are appropriate to the age and gender of the pupils, and take care that their language or conduct does not give rise to comment or speculation.

**Confidentiality:**

Members of staff and governors may have access to confidential information about pupils in order to undertake their everyday responsibilities. In some circumstances staff may be given highly sensitive or private information. They should never use confidential or personal information about a pupil or her/his 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 pupil. 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 child’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 child, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay, but only to those with designated child protection responsibilities. If a member of staff is in any doubt about whether to share information or keep it confidential he or she should seek guidance from a senior member of staff. If a member of staff or volunteer has a child protection concern, these should be reported directly to the Designated Safeguarding Lead or deputy Safeguarding Lead. Inappropriate comments and discussions with pupils Issues discussed in or out of school, relating to the school, pupils, staff, governors and volunteers should be treated in confidence and not a matter for ‘chat’ or ‘gossip’ such that it may bring the school into disrepute or cause malicious and intentional upset for the person/persons involved. As with physical contact, comments by staff to pupils, either individually or in groups, can be misconstrued. As a general principle therefore staff must not make unnecessary comments to and/or about pupils which could be construed to have a sexual connotation. It is also unacceptable for staff to introduce or to encourage debate amongst pupils in class, or elsewhere, which could be construed as having a sexual connotation that is unnecessary given the context of the lesson, or the circumstances. At the same time it is recognised that a topic raised by a pupil is best addressed rather than ignored. The use of insensitive, disparaging or sarcastic comments is also unacceptable, as are comments/discussions which suggest any prejudicial, discriminatory or extremist views, including derogatory language. Where conversation of a sensitive nature may be appropriate,

Staff have a pastoral responsibility for pupils and in order to fulfil that role effectively there may be occasions where conversations will cover particularly sensitive matters. Staff must, in these circumstances, use their discretion to ensure that, for example, any probing for details cannot be construed as unjustified intrusion.

The new Data Protection Act (DPA) has come into force bringing with the GDPR. The guidance says that school leaders should ensure that all staff who need to share ‘special category personal data’ are aware that the DPA 2018 contains ‘safeguarding of children and individuals at risk’ as a processing condition.

**Propriety, Behaviour and Appearance:**

 All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, pupils and the public in general. An individual’s behaviour, either in or out of the workplace, should not compromise his/her position within the work setting or bring the school into disrepute. A person’s dress and appearance are matters of personal choice and self – expression. However, staff and volunteers must ensure they are dressed decently, safely and appropriately for the tasks they undertake. Personal property of a sexually explicit nature such as books, magazines, DVD’s or such material on any electronic media must not be brought onto or stored on the school premises. Personal information of any kind should never be stored on school equipment, including those that may be taken home. Social networking sites and blogging are extremely popular. Staff must not post material which damages the reputation of the school or which causes concern about their suitability to work with children and young people. Those who post material which could be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct.

**Educational visits and school clubs**:

Staff and volunteers should be particularly careful when supervising pupils in the less formal atmosphere of an educational visit, particularly in a residential setting, or after school activity. Staff and volunteers remain in a position of trust and the same standards of conduct apply. The school has a policy on educational visits and it forms part of this code of conduct.

**Curriculum:**

Some areas of the curriculum can include or raise subject matter of a sexually explicit or otherwise sensitive nature. Care should be taken to ensure that resource materials are appropriate, cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. Reporting incidents Following any incident where a member of staff feels that his/her actions have been, or may be, misconstrued s/he should discuss the matter with the headteacher. Where it is agreed with the headteacher the member of staff should provide a written report of the incident.

Care should be taken to comply with the setting’s policy on spiritual, moral, social, cultural (SMSC) (education) which should promote fundamental British values.

All staff should be aware that under the Sexual Offences Act 2003, it is a crime for an adult in a position of trust to engage in sexual activity with a person under the age of 18**.Copyright:**

Staff in school are to be aware that if they choose to sell any materials on the Internet they should firstly consider the tax issues surrounding this as any profit would be tax deductible if their main employment results in them earning above the current tax threshold, (Tax Year 2023 - 2024 equates to £12,570). In addition staff must not sell or attempt to profit from the sale of any work that they have not been the author of. If material, (worksheets, planning, timetables, assessments, etc.), has been produced in the course of someone’s employment then normally it would be the staff who first produced the work who financially benefits from the selling of materials or it would be the academy trust. It is an offence to copy the work or sell it to members of the public without the school’s consent.

**Social Contact and Social Networking:**

Staff in school should not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship. This includes on any social networking sites such as Facebook, Snapchat, Instagram etc. Even if a pupil seeks to establish social contact, or if it occurs coincidentally, the member of staff should exercise his/her professional judgement in making a response and be aware that such social contact in person, by phone or on the internet could be misconstrued and may place that member of staff in a very vulnerable position. Staff should not give their personal contact details to pupils including email, home or mobile telephone numbers unless the need to do so is agreed with senior management.

**Inappropriate images**

Staff should take extreme care to ensure that children and young people are not exposed, through any medium, to inappropriate or indecent images. Under no circumstances should any adult use school equipment to access such material, including adult pornography. Personal equipment containing these images, or links to them should never be brought into or used in school. Deliberately accessing pornography, including indecent images of children on school equipment will be treated as gross misconduct and may be a criminal offence. This includes making, storing or disseminating such material. It may result in being barred from working with children and young people. Staff should keep their passwords confidential and not allow unauthorised access to school equipment. In the event of any unsuitable material being discovered on a school computer, the equipment should not be tampered with in any way, secured and isolated from the network, and the designated LA officer (LADO) contacted without delay. Staff should not attempt to investigate the matter or evaluate the material themselves as this may lead to a contamination of evidence and a possibility they will be at risk of prosecution themselves, (further reference to the acceptable use of social media should be referenced in the separate Social Media policy).**Photography, videos and other creative arts:**

Many school activities involve recording images. These may be taken as part of the curriculum, extra school activities, for publicity or to celebrate achievement. The new Data Protection Act (DPA)2018 affects the use of photography and the General Data Protection Regulations 2018 must be adhered to by all staff in relation to the secure storage of images and data that can identify children. An image of a child is personal data and it is, therefore, a requirement under the Act that consent is obtained from the parent of a child for any images made such as those used for school websites, productions or other purposes. School holds a database of permission for this and staff need to be aware of this information for their own pupils and act accordingly. Use of mobile phones/cameras and storage of images, please see the school’s E safety policy and social media policy for specific details about taking photographic images/video which details safe storage and expectations of staff. This is also to ensure that all staff understand and compile with the requirements of the General Data Protection regulations (2018). Adults should not take images of a child’s injury, bruising or similar even if requested by children’s social care; or make audio recording of a child’s disclosure.

**Gifts:**

It is against the law for public servants to take bribes. Staff need to take care that they do not accept any gift that might be construed by others as such, or lead the giver to expect preferential treatment. There are occasions where pupils or parents wish to pass on small tokens of appreciation to staff e.g. at Christmas or as a thank you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value. Personal gifts must not be given to pupils. Any reward given to a pupil should be consistent with the school’s behaviour policy and not based on favouritism. Small tokens, such as gifts at Christmas may be given but all pupils will be treated the same in order not to show favouritism of any kind.

 **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. There will 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. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge and, in so doing, will be considered to be acting reasonably. All teachers must by law follow the Teaching Standards 2012: PART TWO: PERSONAL AND PROFESSIONAL CONDUCT. A teacher is expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct throughout a teacher’s career:

• Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside the school by: - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher’s professional position - having regard for the need to safeguard pupils’ well-being, in accordance with statutory provisions - showing tolerance of and respect for the rights of others - not undermining fundamental British Values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs - ensuring that personal beliefs are not expressed in ways which exploit pupils’ vulnerability or might lead them to break the law

 • Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach and maintain high standards in their own attendance and punctuality

• Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities