

William Henry Smith School

Code of Safe Working Practice Policy

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1. Introduction

- 1.1 This code is primarily adapted from the document 'Guidance for safer working practice for those working with children and young people in education settings', published by the Safer Recruitment Consortium (2015), but additional reference is made both to the DfE Guidance on 'Use of reasonable force' (2013) and the government publications 'Working together to safeguard children' (2015) and 'Keeping Children Safe in Education' (2018).

2. Purpose and scope

- 2.1 All adults working with children must understand that the nature of their work (and the additional responsibilities related to this) places them in a position of trust. The following guidance, along with the school's related policies (as detailed in section 33), 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 employers in setting clear expectations of behaviour
- support employers in giving a clear message that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken in relation to such practice
- support safer recruitment practice
- minimise the risk of misplaced or malicious allegations made against adults who work with children and young people
- reduce the incidence of positions of trust being abused or misused.

- 2.2 Whilst every attempt has been made to cover a wide range of situations, it is recognised that any such guidance cannot cover all eventualities. It is expected that staff will always endeavour to advise senior colleagues, at the earliest opportunity, of the justification for any action already taken or proposed where this might have implications for safeguarding or safe working practice.

- 2.3 The following points may be considered the overarching principles of the Code:

- the welfare of the child is paramount (Children Act 2004)
- staff 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
- staff should work, and be seen to work, in an open and transparent way and should record relevant incidents and actions in accordance with school policies and procedures
- staff should not, whilst on duty, consume or be under the influence of alcohol or any other substance, including prescribed medication, which may affect their ability to care for children
- staff should consistently apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief and/or sexuality
- staff should continually monitor and review their practice and ensure they follow appropriate policies and procedures

- staff should be aware that breaches of the law and professional guidance could result in disciplinary and/or criminal action being invoked, and/or other proceedings, including being barred from working in 'regulated activity' by the Disclosure and Barring Service (DBS) or being prohibited from teaching by the Teaching Regulation Agency (TRA) (formerly the National College for Teaching and Leadership or NCTL).

2.4 All staff should know the name of their designated person for child protection (the Designated Safeguarding Lead), should be familiar with local child protection arrangements and should understand their responsibilities to safeguard and protect children and young people.

2.5 All staff should be aware of systems within their organisation which support safeguarding and these should be explained to them in regular staff briefings.

2.6 This code applies to all adults working in the school, regardless of their position, role or responsibilities.

3. Definitions

3.1 Throughout this code reference may be made to 'child', 'children', 'young people' 'students' or 'students'. These terms are interchangeable, and all refer to persons under the age of 18 years. However, the principles of this document apply to professional behaviours towards all students, and this includes those over the age of 18 years.

3.2 References to 'staff' or 'adults' include teachers, other staff, governors, volunteers, and anyone working in or on behalf of the school, in either a paid or unpaid capacity.

3.3 The term 'allegation' means where it is alleged that a person who works with children has:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against, or related to, a child; or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

4. Duty of care

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

4.2 All staff, whether paid or voluntary, have a duty to keep young people safe and to protect them from neglect, abuse (whether sexual, physical or emotional) and harm while treating them with respect and dignity.

4.3 This duty is in part exercised through the development of respectful, caring and professional relationships between staff and students and by behaviour from staff that demonstrates integrity, maturity and good judgement in accordance with 'Keeping Children Safe in Education' (2018).and 'Working together to safeguard children' (2015).

4.4 Employers have a duty of care towards their employees under the Health and Safety at Work Act 1974 which requires them to provide both a safe working environment for staff and guidance about safe working practices. This act also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings.

- 4.5 In this respect, the duty of care towards both staff and children can be demonstrated through adherence to these guidelines. An employer's duty of care and the staff duty of care towards children should not conflict.
- 4.6 There should be a culture of openness and support ensuring that systems are in place for concerns to be raised. Neither adults nor children should ever be put in a situation which renders them vulnerable.
- 4.7 This means that adults should:
- take responsibility for their own actions and behaviour
 - understand the responsibilities which form part of their employment or role, and be aware that sanctions will be applied if these principles are breached
 - always act, and be seen to be acting, in the child's best interests
 - avoid conduct which would lead any reasonable person to question their motivation and intentions.

5. Making a professional judgement

- 5.1 Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge. In following this principle, they will be seen to be acting reasonably.
- 5.2 This means that where no specific guidance exists staff should always:
- discuss with a senior colleague (and/or the school's Designated Safeguarding Lead) the circumstances that informed their action or proposed action
 - discuss with a senior colleague (and/or the school's Designated Safeguarding Lead) any misunderstanding, accident or threat
 - record such discussions and actions taken along with the justification for the latter
 - record any areas of disagreement and if relevant refer to another agency (such as the local authority or the appropriate regulatory body).
- 5.3 This will help to ensure that safest practices are employed and will reduce the likelihood of actions being misinterpreted.

6. Power and positions of trust

- 6.1 As a result of their knowledge and status (in addition to the authority invested in their role) all adults working with children and young people in education settings are in positions of trust in relation to all students on roll.
- 6.2 A relationship between a member of staff and a student can never be a relationship between equals. Such a relationship always carries inherent potential for exploitation and harm of vulnerable young people and, accordingly, staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.
- 6.3 Wherever possible, staff should avoid behaviour which is capable of misinterpretation by others and should both record and report any incident with this potential.

- 6.4 Where a person aged 18 or over is in a position of trust with a child under 18 it is, under the Sexual Offences Act 2003, a criminal offence for that person to engage in sexual activity with, or in the presence of, that child, or to cause or incite that child to engage in, or to watch, sexual activity.
- 6.5 This means that adults should not:
- use their position to gain access to information for their own advantage or to a child's or family's detriment
 - use their power to intimidate, threaten, coerce or undermine students
 - use their status and standing to form or promote relationships with children which are of a sexual nature (or which might become so).

7. Confidentiality

- 7.1 Members of staff may have access to confidential (personal) information about students in order to undertake their everyday responsibilities. They should never use confidential or personal information about a student or his or her family for their own advantage or that of others, (including that of partners, friends, relatives or other organisations).
- 7.2 Information must never be used to intimidate, humiliate, or embarrass a student.
- 7.3 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 any such information should be used anonymously.
- 7.4 There are certain 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 instances, individuals have a duty to pass information on without delay, but only to those with designated child protection responsibilities. If in doubt, staff should refer to the school's Safeguarding policy for further details.
- 7.5 The storage and processing of personal information about students is, with effect from 25 May 2018, governed (as indeed is that of personal information about staff) by the General Data Protection Regulation (GDPR) (having prior to this date been governed by the Data Protection Act 1998). Staff must ensure that all systems on which personal information is recorded (whether manual or computerised) are kept secure, in accordance with the school's Data Protection policy.
- 7.6 Any media or legal enquiries in relation to personal information should be passed to senior leadership. It may also be appropriate for seek advice from a senior member of staff before sharing **any** information held which has been requested by a third party.

8. Standards of behaviour

- 8.1 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, and maintain, high standards of personal conduct in order to retain the confidence and respect of peers, students and the public in general.
- 8.2 The Department for Education (DfE) 'Teachers' Standards 2012' define the behaviour and attitudes which set the required standard for conduct throughout a teacher's career. Staff

should also be aware that the behaviour and actions of their partners (or other members of their household) may raise questions about their suitability to work with children.

- 8.3 All staff are expected to uphold public trust in the profession and maintain high standards of ethics and behaviour, both within and outside of school.
- 8.4 An individual's behaviour, either in or out of the workplace, should not compromise his or her position within the work setting. This includes any actions which might bring the employer into disrepute, or otherwise lead to loss of trust and confidence in the relationship between employer and employee. Such behaviour may result in prohibition from teaching by the TRA (formerly NCTL) or punitive action from another regulatory body.
- 8.5 This means that adults should not:
- behave in a manner which would lead any reasonable person to question their suitability to work with children or to act as a role model
 - make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate (or might be interpreted as so doing)
 - make sexual remarks (including email, text messages, phone or letter) to a student or use inappropriate language when speaking to (or in the presence of) students
 - discuss their own sexual relationships with, or in the presence of, students
 - discuss a student's sexual relationships (other than within the context of an appropriate setting such as a strategy meeting).

9. Dress and appearance

- 9.1 All staff should consider the manner of dress and appearance suitable to their professional role. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake.
- 9.2 Those who dress or appear in a manner which could be considered as offensive or inappropriate could render themselves vulnerable to criticism or allegation.
- 9.3 This means that adults should wear clothing which:
- promotes a positive and professional image
 - is appropriate to their role and compliant with professional standards
 - is not likely to be viewed as offensive, revealing, or sexually provocative
 - does not distract, cause embarrassment or give rise to misunderstanding
 - is absent of any political or otherwise contentious slogans
 - is not considered to be discriminatory.

Refer to school dress code within Employee Handbook

10. Infatuations and 'crushes'

- 10.1 Staff need to be aware that it is not uncommon for students to be attracted to a member of staff and/or develop a 'crush' or infatuation. All such 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 similarly represent a potential opportunity for allegations to be made against staff.

- 10.2 Any member of staff who becomes aware that a student may be infatuated with his or her self or a colleague should discuss this with a senior colleague at the earliest opportunity so that appropriate action can be taken to avoid any hurt, distress or embarrassment. Any such conversation should be fully documented with a record being retained by the Designated Safeguarding Lead.
- 10.3 This means that adults should report any indications (whether verbal, written or physical) that may suggest a student is infatuated with a member of staff. Staff must always acknowledge and maintain professional boundaries and should always be provided with appropriate support in the event of occurrences such as infatuations.

11. Social contact outside the workplace

- 11.1 If a child or parent seeks to establish social contact, or if this occurs coincidentally, the adult should exercise appropriate professional judgement in making a response but should always discuss the situation with, respectively, the parent of the child or their manager. Adults should be aware that social contact in certain situations can be misconstrued as grooming.
- 11.2 Staff should also be aware that social contact may provide opportunities for other types of grooming such as sexual exploitation or radicalisation. Such contact (for example attending a political protest or circulating propaganda) could potentially be perceived as harmful or exerting inappropriate influence on children and may bring the school into disrepute.
- 11.3 Where social contact is an integral part of work duties, e.g. pastoral work in the community, care should be taken to maintain appropriate personal and professional boundaries. It is recognised that some staff may be required to support a parent who is in particular difficulty. This situation should be discussed with senior leadership and where necessary referrals made to the appropriate support agency.
- 11.4 No child should enter, or be invited into, the home of an adult who works with them.
- 11.5 This means that adults should:
- always seek approval from senior leadership prior to any planned social contact with students or parents
 - inform senior leadership of any requests or arrangements where parents wish to use their services outside of the workplace
 - have no secret social contact with children or their parents and refrain from sending personal communication to students or parents
 - advise senior leadership of any regular social contact or relationship they have with a child or a parent
 - report and record any situation which may place a child at risk or which may compromise their employer or their own professional standing
 - be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations.
- 11.6 Staff should not share any sensitive personal information with a child. They should not request, or respond to, any personal information from the child, other than in a way which is fully in accordance with their professional role. Staff require to ensure that all communications with children are transparent and open to scrutiny.

- 11.7 Staff should also be circumspect in their communications with children in order to avoid any possible misinterpretation of their motives and should take care to avoid any behaviour which could conceivably be (mis)construed as grooming.
- 11.8 Staff should not give their personal contact details (including email address, home or mobile telephone numbers) to children. Text or email communication (this also includes communication through web sites) between an adult and a child outside agreed protocols may lead to disciplinary and/or criminal investigation.
- 11.9 Internal email systems should only be used in accordance with the organisation's Acceptable Use policy. If in doubt on this point staff should refer to the school's Social Media policy for further guidance.

12. Communication with children (including the use of technology)

- 12.1 Communication with children should always be within explicit professional boundaries. Staff should ensure that they establish safe and responsible online behaviours, working to local and national guidelines and agreed policies on acceptable use.
- 12.2 In this context, 'communication' covers (in addition to personal contact) the use of electronic technology (such as computers, tablets, phones/smartphones and equivalent devices) and includes texts, emails, instant messaging, social media (Facebook, Twitter, chat-rooms, blogs, gaming sites etc) as well as items such as digital cameras, videos, webcams and other hand held devices etc.
- 12.3 This means that adults should:
- not seek to communicate or make contact with (or respond to contact from) students which does not relate to their work
 - not give out their personal contact details
 - only use equipment and internet services provided by the school
 - follow the school's Acceptable Use Policy
 - ensure that their actions do not bring the employer into disrepute.
- 12.4 If children locate personal details of a member of staff and attempt to contact them the employee should not respond directly but should report the matter to their manager. Staff should follow the guidance on standards of behaviour in this document.

13. Physical contact

- 13.1 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 relation to the student's individual needs and in ways appropriate to their professional role. Staff should always exercise professional judgement in such circumstances.
- 13.2 When physical contact is made with students this should be in response to their needs at that time and should always be of limited duration. It should always be appropriate to the age, stage of development, gender, ethnicity and background of the student.
- 13.3 Physical contact should never be secretive, or for the gratification of the adult, and neither should it represent a misuse of authority. If a member of staff believes that their actions (or those of others) are capable of misinterpretation, the incident and circumstances should be

reported to the Designated Safeguarding Lead and recorded as deemed necessary. It may also be appropriate to contact the Local Authority Designated Officer (LADO) for additional advice and guidance.

- 13.4 Any physical contact is subject to our agreed school policy and open to regular review.
- 13.5 Extra caution may be required where it is known that a child has suffered previous abuse or neglect. In the child's view, physical contact might be associated with such experiences and lead to staff being vulnerable to allegations of abuse. It is recognised that some children may seek out inappropriate physical contact and, in these circumstances, staff should treat the child sensitively by helping them to understand the importance of personal boundaries.
- 13.6 The general culture of 'safe touch' should be adapted, where appropriate, to the individual requirements of each child. Children with special educational needs and disabilities may require a greater degree of physical contact to assist their everyday learning. Appropriate arrangements for such children should always be:
- agreed and understood by all concerned
 - justified in terms of the child's needs
 - applied consistently
 - open to scrutiny.
- 13.7 This means that adults should therefore:
- 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
 - be aware of cultural or religious views on touching
 - be sensitive to issues of gender
 - consider alternatives to physical contact, where it is anticipated that a student might misinterpret or be uncomfortable with this (staff must always be prepared to explain actions and accept that all physical contact must be open to scrutiny)
 - always allow/encourage students, where able, to undertake self-care tasks independently
 - not indulge in playful activities with students in an inappropriate manner
 - never touch a child in a way which may be considered indecent
 - inform a colleague when they have offered comfort to a distressed child
 - follow the school system for recording

14. Activities that require physical contact

- 14.1 Some staff, for example those who teach PE and games or who offer music tuition, will on occasions have to initiate physical contact with students. This may be to support a child so that they can perform a task safely, to demonstrate the use of a particular piece of equipment or instrument, to assist with an exercise or to help adjust posture. This should be done with the student's agreement and in line with codes of conduct and best practice.
- 14.2 Contact under these circumstances should only take place when it is necessary and for the minimum time required to complete the activity. Physical contact should always take place in an open environment (see one-to-one situations, below). Staff should remain sensitive

to any discomfort expressed verbally or non-verbally by the child and should keep the parents/carers informed as appropriate.

14.3 This means that adults should always:

- be familiar with, and follow, recommended government guidance
- consider alternatives, where it is anticipated that a student might misinterpret any such contact, by involving another member of staff or a less vulnerable student in the demonstration
- be aware of age, gender, cultural or religious issues that may need to be considered prior to initiating physical contact
- explain to a student the reason why contact is necessary and what form that contact will take
- treat children with dignity and respect and avoid contact with intimate parts of the body.

15. Students in distress

15.1 There may be occasions when a distressed student needs comfort and reassurance. This may include age-appropriate physical contact. Staff should remain self-aware at all times in order to ensure that their contact is not perceived as threatening or intrusive or could be liable to misinterpretation.

15.2 Where a member of staff has a particular concern about the need to provide this type of care and reassurance he or she should seek further advice from a senior manager.

15.3 This means that adults should:

- always consider the most appropriate way to offer comfort to a distressed child
- always tell a colleague when and how they offered comfort to a distressed child
- record all situations which may give rise to concern
- not assume that all children seek physical comfort if they are distressed.

16. Intimate/personal care

Definition: **Intimate care** is defined as any care which involves washing, touching or carrying out an invasive procedure that most children and young people carry out for themselves, but which some are unable to do. Children and young people who may be unable to meet their own care needs for a variety of reasons and will require regular support. The Intimate care tasks specifically identified as relevant include: Dressing and undressing (underwear); Helping someone use the toilet; Changing continence pads (faeces/Urine); Bathing / showering; Washing intimate parts of the body.

Definition: **Personal care** generally carries more positive perceptions than intimate care. Although it may often involve touching another person, the nature of the touching is more socially acceptable, as it is less intimate and has the function of helping with personal presentation and is regarded as social functioning. These tasks do not invade conventional personal, private or social space to the same extent as intimate care and are certainly more valued as they lead to positive outcomes for young people. The personal care tasks specifically identified as relevant here include: Skin care/applying external medication; feeding; administering oral medication; hair care; dressing and undressing (clothing); washing non-intimate body parts; prompting to go to the toilet.

Personal care encompasses those areas of physical and medical care that most people carry out for themselves but which some are unable to do because of disability or medical need. Children and young people may require help with eating, drinking, washing, dressing and toileting.

All children/young people who require intimate and/or personal care are treated respectfully at all times; the child's/young persons welfare and dignity is of paramount importance.

There is careful communication with each child/young person who needs support in line with their preferred lines of communication (verbal, symbolic, etc.) to discuss the child's/young persons needs and preferences. The child/young person is aware of each procedure that is carried and the reasons for it.

- 16.1 Our school is committed to ensuring that all staff responsible for intimate care of children and young people will undertake their duties in a professional manner at all times.
- 16.2 Young people 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. There needs to be an appropriate level of supervision in order to safeguard young people, satisfy health and safety considerations and ensure that bullying or teasing does not occur.
- 16.3 All young people have a right to safety, privacy and dignity when contact of a physical or intimate nature is required. Depending on their abilities, age and maturity they should be encouraged to act as independently as possible and to undertake as much of their own personal care as is practicable. Staff will work in close partnership with parents and carers to share information and provide continuity of care. A plan should be drawn up and agreed with parents for all children who require intimate care on a regular basis.
- 16.4 When assistance is required, staff should ensure that another appropriate adult is in the vicinity and is aware of the task to be undertaken. Staff should also be mindful of factors which may impact on the child's behaviour (such as bullying and/or abuse) and where necessary take appropriate action to report any concerns.
- 16.4 Additional vulnerabilities that may arise from special educational needs and disabilities should be considered with regard to delivering individual teaching and care practices for each child. As with all arrangements for intimate care needs, agreements between the child, their parents/carers and the educational establishment must be negotiated and agreed outcomes recorded. In addition, the views and/or emotional responses of children with special educational needs must be actively sought, regardless of age and ability, in regular reviews of these arrangements.
- 16.5 Supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment. Staff need to be vigilant about their own behaviour, ensure that they follow agreed guidelines and always be mindful of the needs of the students.
- 16.6 This means that adults should:
 - adhere to the guidance within this policy
 - always explain to the student what is happening
 - consult with colleagues where there is a variation from procedure and record the justification for the variation and share this with the student and parents/carers
 - avoid any visually intrusive behaviour

and

- announce their intention of entering
- avoid remaining in the room unless student needs require this.

16.7 Additionally adults should never:

- change or toilet in the same place as children
- shower or bathe with children
- assist with intimate or personal care tasks which the student is able to undertake independently.

17. Positive Behaviour Support and Engagement

17.1 All students have a right to be treated with respect and dignity. Staff should not use any form of degrading treatment to punish a student. The use of humour de-escalation, distraction or diversion tactics can help to defuse a situation. However, the use of sarcasm or of demeaning or insensitive comments towards students is never acceptable, regardless of the circumstances.

17.2 Staff should follow the school's positive behaviour support and engagement policy using appropriate strategies for the situation. Where a student has specific needs (such as displaying challenging behaviour) a positive behaviour support plan, should be drawn up and agreed with all relevant parties

17.3 This means that adults should:

- not use force as a form of punishment
- try to defuse situations before they escalate (such as by distraction)
- keep parents informed
- be mindful of and sensitive to factors (inside and outside the school) which may impact on a student's behaviour
- act as a role model for students and avoid shouting at students (other than as a warning in an emergency etc)
- refer to national and local policy guidance regarding restrictive physical intervention (RPI)
- adhere to the school's positive behaviour support and engagement policy whilst taking into account relevant legislation and guidance on human rights and restriction of liberty.

17.4 The school's positive behaviour support and engagement policy includes clear guidance about the use of isolation and seclusion. Staff should ensure that they avoid use of any practice which might conceivably be interpreted as representing one or more of the following:

- an unlawful act
- a breach of the student's human rights
- false imprisonment.

18. Use of restraint/physical intervention

18.1 Staff may legitimately intervene to maintain good order and discipline or to prevent a student from injuring themselves or others, causing damage to property, engaging in

behaviour prejudicial to good order (within the school day) or committing a criminal offence. Staff will have received the appropriate training and must ensure that they use minimum force for the shortest period necessary.

- 18.2 Staff should always have regard to the health and safety of themselves and others. The full government guidance: 'Use of reasonable force: advice for Head-teachers, staff and governing bodies' (2013) can be found at www.gov.uk, 'Positive environments where children can flourish and Reducing the need for restraint and restrictive intervention (draft 2017)'. In all cases where physical intervention is deemed necessary, the incident and subsequent actions must be documented and reported.
- 18.3 The decision on whether to physically intervene is down to the professional judgement of the staff concerned. Whether the force is reasonable will always depend on the circumstances of the individual case. In every instance, however, **the use of force must be reasonable, proportionate, necessary and in the best interests of the young person.**
- 18.4 This means the degree of force used should be no more than is needed to achieve the desired result. Where it is anticipated that physical intervention is likely to be required a plan should be put in place which is agreed with the student and parents/carers.
- 18.5 Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence. In all cases where physical intervention is deemed necessary, the incident and subsequent actions should be documented and reported to a senior manager and parents/carers.
- 18.6 This means that staff should:
- always adhere to the school's physical intervention and deprivation of liberty policy
 - always seek to defuse situations and avoid the use of physical intervention where possible
 - (where physical intervention is necessary) only use minimum force and for the shortest time needed.

19. Sexual contact

- 19.1 All adults should clearly understand the need to maintain appropriate boundaries in their contacts with children and young people. Intimate or sexual relationships between children and the adults who work with them will be regarded as a grave breach of trust. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable.
- 19.2 Any sexual activity between an adult and the child or young person with whom they work will always be referred to the LADSL and potentially regarded as a criminal offence and will always be a matter for disciplinary action. Children and young people are protected by specific legal provisions regardless of whether or not the child or young person consents.
- 19.3 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 children to engage in or watch sexual activity or the production of pornographic material, irrespective of whether or not the child is aware of what is happening.
- 19.4 Adults should take care that their demeanour and language does not give rise to comment or speculation, especially when dealing with children. Accordingly, adults should not:

- pursue sexual relationships with children or young people either in or out of school
- have any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative including verbal comments, letters, notes, email, phone calls or texts as well as physical contact
- make sexual remarks to, or about, a child or young person
- discuss sexual matters with or in the presence of children or young people, other than within agreed curriculum content or as part of their recognised job role.

20. Grooming

- 20.1 There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child in order to manipulate that relationship to their advantage. This may be so that sexual abuse can take place, or in furtherance of social or political agendas (such as radicalisation). Many children and young people do not understand that they have been groomed or appreciate that what has happened is abuse.
- 20.2 Staff should be aware that conferring special attention (which can involve providing gifts) and favour upon a child might be construed as being part of a 'grooming' process, which is an offence.
- 20.3 All staff should undertake appropriate training in safeguarding so they are fully aware of not only those behaviours that may constitute grooming but also their responsibility to report to a senior manager any concerns about the behaviour of a colleague which might indicate that a student is being groomed.

21. Gifts, rewards and favouritism

- 21.1 All staff need to be aware that the giving of gifts can be misinterpreted by others as a gesture either to bribe or to groom a young person. Any reward to a student must be in accordance with agreed practice, consistent with school policy, recorded and not based on favouritism.
- 21.2 Adults should exercise care to avoid perceptions of favouritism or unfairness when selecting children or young people for specific activities or privileges. Methods and criteria for selection should always be transparent and subject to scrutiny.
- 21.3 Care should also be taken to ensure that adults do not accept any gift that might be construed as a bribe by others or might lead the giver to expect preferential treatment (see above section on 'Grooming').
- 21.4 There are occasions when children, young people or parents wish to pass small tokens of appreciation to adults as a gesture of recognition and thanks. Whilst this is acceptable, any gift over £10 in value should be declared.

22. One-to-one situations

- 22.1 The school has staff working with specific students on a one-to-one basis as part of their core role and plan accordingly to ensure the safety and security needs of both staff and students are met.

22.2 The school has a behaviour support plan which identifies triggers and diffusers to enable staff to meet the individual needs of students. These are reviewed on a regular basis.

23. Home visits

23.1 It is necessary to make home visits and appropriate policies and risk assessments are in place to safeguard both students and staff.

23.2 A risk assessment should be carried out prior to any home visit and this should include an evaluation of any known factors regarding the student, parents/carers and any others living in the household.

23.3 Consideration should be given to any circumstances which might render the staff member becoming more vulnerable to an allegation being made (such as a history of hostility or behavioural issues, or previous submission of a complaint etc).

23.4 Appropriate risk management measures should be put in place prior to the visit.

23.5 This means that staff should:

- agree the purpose of any home visit with their manager
- adhere to the risk management assessment/strategies
- avoid unannounced visits wherever possible
- ensure that there is visual access and/or an open door in one to one situations
- always make detailed records of arrival and departure
- ensure that any behaviour or situation giving rise to concern is discussed with their manager.

24. Transporting students

24.1 Staff will transport children. This should always (other than in an emergency) be subject to a risk assessment being carried out. A designated member of staff should be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties that may arise.

24.2 Staff should not offer lifts to students unless the need has been agreed in advance by a manager.

24.3 Staff should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They should be fit to drive, hold a current driving licence and be free from drugs, alcohol or any medication which is likely to impair judgement.

24.4 The vehicle declaration sets out the arrangements under which staff may use private vehicles to transport students. This includes the requirement for staff to ensure that their vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded.

24.5 This means that adults should:

- plan and agree arrangements with all parties in advance

- be aware that the safety and welfare of the child is their responsibility until this is safely passed over to a parent/carer
- report the nature of the journey, the route and the expected time of arrival in accordance with agreed procedures
- make sure all arrangements to ensure vehicle, passenger and driver safety (including the wearing of seat belts) take into account any specific needs that the child may have

25. Educational visits and after-school activities

- 25.1 The school's health and safety policy will specify procedures for off-site visits which may include residential visits and school-led adventure activities. Staff responsible for organising educational visits should be familiar with their duties under the Health and Safety at Work Act 1974 and the DfE's advice on health and safety which is available on the internet: www.gov.uk/government/publications/health-and-safety-advice-for-schools.
- 25.2 Risk assessments should be carried out in line with The Management of Health and Safety at Work Regulations (1999) which imposes a duty on employers to produce suitable and sufficient risk assessments.
- 25.3 The risk assessment undertaken should include measures to minimise any identified risks. For regular activities (such as swimming) the risks should be considered under the school's policies and procedures and a check to make sure that the recommended precautions remain suitable is all that is required.
- 25.4 Where out of school activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Staff should never share beds with a child/student and should not share bedrooms unless it involves a dormitory situation and the arrangements have been previously discussed and agreed with senior leadership, parents/carers and students.
- 25.5 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. Staff must be aware of and follow guidance.
- 25.6 Working safely means that adults should always:
- refer to local and national guidance for educational visits, including exchange visits
 - adhere to the school's educational visits guidance
 - have another adult present in out of school activities (unless otherwise agreed with senior leadership and documented accordingly)
 - undertake a risk assessment and adhere to staff/child ratios
 - have parental consent to the activity
 - ensure that their behaviour remains professional at all times.

26. First aid and the administration of medication

- 26.1 We must have an adequate number of trained first aiders/appointed persons. Staff receive appropriate training and reach the necessary level of competency before administering first aid or medication.

- 26.2 When administering first aid staff should, wherever possible, ensure that another adult is present, or is aware of the action being taken. Parents should always be informed when first aid has been administered.
- 26.3 This means that before administering medication or first aid to a child (other than in an emergency) adults should:
- ensure that they are fully trained and competent to administer first aid/medication
 - adhere to the school's promoting health policy
 - adhere to the school's intimate care guidance within this policy
 - make other staff aware of the task being undertaken
 - explain to the child what is happening
 - always act in the best interests of the child

27. Photography and videos

- 27.1 Many educational activities involve recording images, whether as part of the curriculum, or to celebrate achievement, or in relation to extracurricular school activities or publicity purposes. Staff need to be aware of the potential for these aspects of teaching to be misused, either in a manner that breaches data protection legislation (the school's Data Protection policy should be referred to for further information in relation to CCTV and other imagery) or, more sinisterly, for purposes of pornography and/or 'grooming'.
- 27.2 Careful consideration should be given as to how activities involving photography and related imaging are organised and undertaken and under no circumstances should staff be expected or allowed to use their personal equipment to take images of students at or on behalf of the school. Particular care needs to be taken when the activity of this nature involves young or vulnerable students who may be unable to question why or how such practice is taking place.
- 27.3 Children who have been previously abused in a manner that involved photographic or digital images may feel particularly threatened by the use of photography, filming etc in the teaching environment. Staff should remain sensitive to any child who appears to be uncomfortable in such circumstances and should recognise the potential for misinterpretation.
- 27.4 Care should be taken to ensure that all parties understand the implications of, and have given informed consent to, the image being taken, especially if the intention is for such images to be used for publicity purposes or published in the media or on the internet. There also needs to be documented agreement as to whether the images will be destroyed or retained for further use, and if the latter where they will be stored and who will have access to them.
- 27.5 Using images of children for publicity purposes and/or in advertisements will always require the consent of parents/carers. Where consent is denied images should not be displayed on websites, in publications or in a public place.
- 27.6 When a photograph is used by the school in connection with publicity, advertising or other legitimate purpose, in some circumstances it may not be appropriate for some students to be identified by name and image.
- 27.7 This means that adults should:

- adhere to the school's policies and procedures
- only use equipment provided by (or authorised by) the school
- 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 to what purpose
- ensure that all images are available for scrutiny in order to screen for acceptability
- be able to justify images of children in their possession
- take care when recording digital/video images that students are appropriately dressed and are not participating in activities that might bring the individuals or the school into disrepute (such as indecent images)
- not take, display or distribute images of children unless they have consent to do so
- be aware that all photographs (or other recordings) taken by students for official school use will be controlled and appropriately stored by the school in accordance with data protection policies and relevant legislation.

27.8 No member of staff should ever use his or her own photographic equipment (including mobile phones etc) to photograph a student, nor should they ever allow themselves to be photographed by students in inappropriate circumstances.

27.9 School mobile phones may be used for photographic purposes only in connection with making an official record of a recognised school activity.

28. Exposure to inappropriate images

28.1 There are no circumstances which will justify adults possessing indecent images of children. Adults should not use equipment belonging to school to access pornographic images and neither should personal equipment containing such images (or links to them) be brought into the workplace.

28.2 Accessing such images, whether using the school's or their own personal equipment, either on or off school premises, is illegal, as is making, storing or disseminating such material. Participation in any such activity will be regarded as gross misconduct.

28.3 All staff should ensure that students are not exposed to any inappropriate images or web links. All staff will ensure that internet equipment used by students has appropriate controls with regards to access (for instance all personal passwords should be kept confidential).

28.4 Using school equipment to access inappropriate or indecent material, including adult pornography, is likely to give serious cause for concern which will be compounded if, as a result, there is a possibility that students might be exposed to such material. This means that staff should follow school policies on the use of IT equipment at all times.

28.5 Where indecent images of children (or other unsuitable images) are identified, staff should immediately bring this to the attention of the Designated Safeguarding Lead or the Principal, who will in turn contact the Local Authority Designated Officer (or LADO). The police may subsequently be contacted if deemed appropriate. In such circumstances the relevant images/equipment should be secured but staff should not attempt to investigate the matter or evaluate the material themselves, as this may lead to evidence being contaminated (which in itself could lead to a criminal prosecution).

29. Curriculum

- 29.1 Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and that these clearly relate to the learning outcomes identified by the lesson plan. This plan should, where appropriate, highlight areas of particular risk and sensitivity, such as may occur in relation to, for instance, drama.
- 29.2 The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to questions from students can require careful judgement and in such circumstances staff may wish to take guidance from the school's Designated Safeguarding Lead or Principal.
- 29.3 Care should also be taken to abide by the required policy on spiritual, moral, social and cultural development (SMSC) which promotes fundamental British values. This policy should be reviewed regularly and rigorously to ensure both that it complies with requirements and that it is being applied consistently.
- 29.4 Staff should also comply at all times with the policy on sex and relationships education (SRE).
- 29.5 This means that teachers should have clear written lesson plans and that they should neither enter into, nor encourage or facilitate, inappropriate or offensive discussion about sexual activity. Similarly, teachers should not attempt to influence students by imposing on them, or advancing, their personal values, attitudes or beliefs.

30. Sharing concerns and recording incidents

- 30.1 All staff should be aware of the school's safeguarding and child protection procedures, including procedures for dealing with allegations against staff and volunteers as detailed in DfE 'Keeping Children Safe in Education' (2018). Staff who are the subject of allegations are advised to contact their professional association/trade union for appropriate support.
- 30.2 Members of staff should feel able to discuss with their line manager any difficulties or problems that may affect their relationship with students so that appropriate support can be provided in such circumstances.
- 30.3 In the event of an incident occurring, which may have the potential for an action being misinterpreted and/or an allegation being made against a member of staff or volunteer, the relevant information should be clearly and promptly recorded and reported to the Principal or Designated Safeguarding Lead as appropriate. Early discussion with a parent or carer is recommended as this may avert any possible misunderstanding.
- 30.4 This means that staff should:
- be familiar with the school's system for recording concerns
 - take responsibility for recording any incident and passing on that information where they have concerns about any matter pertaining to the safeguarding of an individual in the school or workplace.

31. Whistleblowing

- 31.1 Whistleblowing is the mechanism by which staff can voice their concerns, made in the public interest, without fear of repercussion or recrimination.
- 32.1 Staff should report to the Principal any behaviour by colleagues that raises concerns. Where they have concerns about the Principal's response, they should report these directly to the school's Designated Safeguarding Lead / Chair of Governors.
- 32.1 If staff feel unable to report their concerns in the normal manner (via the Principal or Designated Safeguarding Lead) without fear of retribution they are directed to the school's Whistleblowing policy.

32. Other policies and procedures

- 32.1 This policy will be supported by the following policies and procedures:
- Code of Conduct Policy
 - Data Protection Policy
 - E-safety and Acceptable Use Policy
 - Recruitment Policy
 - Safeguarding Policy
 - Social Media Policy
 - Whistleblowing Policy