



Safeguarding and Promoting Pupil Welfare Policy

1. INTRODUCTION

- 1.1 Maltby Lilly Hall Academy holds normal educational insurance, Personal Accident and School Journey Cover.
- 1.2 The governing body of the school will foster a culture of the highest professional standards. This 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 physical and emotional harm. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by adults that demonstrate integrity, maturity and good judgment. 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.
- 1.3 Staff, governors and volunteers must feel able to raise issues of concern and everyone must fully recognise the duty to do so particularly in terms of child protection. A member of staff who, in good faith, "whistleblows" or makes a public interest disclosure will have the protection of the relevant legislation
- 1.4 This Code of Conduct cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to pupils. There will be occasions and circumstances in which staff have to make decisions or take action in the best interests of the pupil where no specific guidance has been given. Adults are expected to make responsible and informed judgements about their own behaviour in order to secure the best interests and welfare of the pupils in their charge.
- 1.5 All teachers must by law be registered with the General Teaching Council and comply with the Code of Conduct and Practice for Registered Teachers and the Statement of Professional Values and Practice which are therefore incorporated into this Code of Practice. These documents can be accessed at <http://www.gtce.org.uk>. The document Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings March 2009 is also incorporated into this Code of Conduct.
- 1.6 This Code of Conduct forms part of the school's disciplinary rules for staff. A serious breach of the Code will be regarded as gross misconduct. A less serious breach may result in a disciplinary warning.
- 1.7 Where an allegation of abuse is made against a member of staff the governing body will follow the guidance set out in Safeguarding Children and Safer Recruitment in Education published by the DfE and in force from January 2007. This guidance is about managing allegations that might indicate that a person is unsuitable to continue to work with children in their present position, or in any capacity. It will be used where it is alleged that a member of staff or a volunteer or a governor 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 s/he is unsuitable to work with children.

2. PRINCIPLES OF PROFESSIONAL PRACTICE

All staff, governors and volunteers as appropriate to the role and/or job description of the individual, must:

- Place the well-being and learning of pupils at the centre of their professional practice.
- Have high expectations for all pupils, be committed to addressing underachievement, and work to help pupils progress regardless of their background and personal circumstances.
- Treat pupils fairly and with respect, take their knowledge, views, opinions and feelings seriously, and value diversity and individuality.
- Model the characteristics they are trying to inspire in pupils, including enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people.
- Respond sensitively to the differences in the home backgrounds and circumstances of pupils, recognising the key role that parents and carers play in pupils' education.
- Seek to work in partnership with parents and carers, respecting their views and promoting understanding and co-operation to support the pupil's learning and well-being in and out of the school.
- Reflect on their own practice, develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues.

3. CONFIDENTIALITY

- 3.1 Members of staff and governors may have access to confidential information about pupils in order to undertake their responsibilities. In some circumstances the information may be highly sensitive. Confidential or personal information about a pupil or her/his family must never be disclosed to anyone other than on a need to know basis. In circumstances where the pupil's identity does not need to be disclosed the information should be used anonymously. Information must never be used to intimidate, humiliate, or embarrass the pupil.
- 3.2 There are some circumstances in which a member of staff may be expected to share information about a pupil, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay to those with designated child protection responsibilities.
- 3.3 Confidential information about pupils must be held securely. Confidential information about pupils must not be held off the school site other than on security protected school equipment. Information must only be stored for the length of time necessary to discharge the task for which it is required.

- 3.4 If a member of staff is in any doubt about the storage of or sharing of information s/he must seek guidance from a senior member of staff. Any media or legal enquiries must be passed to senior management.

4. PROPERTY, BEHAVIOUR, REPUTATION AND APPEARANCE

- 4.1 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 her/his position within the work setting or bring the school into disrepute.

- 4.2 There is an expectation that staff will dress professionally and formally for work in the school. For the delivery of some curriculum areas, staff may require additional specialist clothing such as sportswear. More consideration will also need to be given towards working with pupils on field trips, excursions and holidays depending upon the nature of the activities.

It is difficult to be too prescriptive when identifying what professional and formal means. However,

- Ties should be worn by male teachers unless they are wearing specialist items.
- Certain items are not acceptable. These include denim and cord jeans, shorts, leggings, combat and cropped trousers, heels which may damage floors, casual footwear including training shoes and beach type flip-flops, excessive and inappropriate jewellery and body piercings, vests, low-cut tops and short skirts.
- If staff have tattoos they should be concealed beneath clothing wherever possible.

Please remember that you are role models in a formal setting working with children.

The Head Teacher will make the final decision as to what professional and appropriate means

INSET days are more informal occasions but please remember that some staff will still need to be prepared to meet with the public. If meetings with parents or other community members have been planned, the staff involved should be formally dressed as on a normal school day

- 4.3 Personal property of a sexually explicit nature such as books, magazines, DVDs or such material on any electronic media must not be brought onto or stored on the school premises.
- 4.4 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.

5. SEXUAL CONTACT WITH CHILDREN AND YOUNG PEOPLE AND ABUSE OF TRUST

- 5.1 Any sexual behaviour, whether homosexual or heterosexual, by a member of staff, volunteer or governor with or towards a child or young person is 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 there is consent or not. All adults working in the school who have contact with pupils or pupils of other establishments working within the setting (for example on placement) are in positions of trust. The Sexual Offences (Amendment) Act 2000 specifically established a criminal offence of the abuse of trust in relation to teachers and others who are in relationship of trust with 16 -18 year olds.
- 5.2 Sexual behaviour includes non-contact activities, such as causing a child or young person to engage in or watch sexual activity or the production of indecent images of children. 'Working Together to Safeguard Children', defines sexual abuse as "forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening".
- 5.3 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 or young person, and manipulate that relationship so that sexual abuse can take place. Staff and volunteers should be aware that conferring special attention without good reason or favouring a pupil has the potential to be construed as being part of a 'grooming' process, which is a criminal offence.

6. GIFTS

- 6.1 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 a bribe, or lead the giver to expect preferential treatment. There are occasions when pupils or parents wish to pass 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. Please see anti-bribery policy for further information.
- 6.2 Personal gifts must not be given to single pupils. This could be misinterpreted as a gesture either to bribe, or single out the young person. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a pupil should be consistent with the school's behaviour policy, recorded, and not based on favouritism. Any gift (for example presents at Christmas) given personally to a group or class must be given equitably to the whole group and not single out individuals in a way which could be construed as favouritism.

7. SITE SECURITY

- 7.1 It is the responsibility of all staff at Maltby Lilly Hall Academy to ensure that it is a secure and safe place for pupils to learn. The security of the site is paramount and this should be monitored at all times. No adult should be allowed on to school premises during the school day, outside normal arrival and departure periods without first signing in to the school visitors' log-in system and being issued with a badge. Visitors should not be allowed past the magnetic locked interior doors without first signing in, and where appropriate displaying their credentials.
- 7.2 During the school day, all exits from the playground (side gates) will be locked at all times, outside normal arrival and departure periods. It is the responsibility of the caretaker to ensure that all access gates are opened at 8:30am and locked at 9:15am. Gates are opened at 3:00pm for departure and locked at 3:30pm.
- 7.3 School governors, the Head Teacher, and most frequently the caretaker, will check the school boundary for security on a regular basis (weekly for the caretaker). Any defects found in the boundary will be reported immediately to the Head Teacher.
- 7.4 In case of a significant failure of the boundary's security, an emergency fence is kept in store at all times to enable a temporary repair to be effected.
- 7.5 If, at any time, an adult is found on school premises who does not have an official visitors badge, has no purpose for being in school (e.g. Parent Workshop etc.) and is not a known member of school staff, they should be challenged by a staff member. If there are further concerns these should immediately be reported to the Head Teacher.

8. SOCIAL CONTACT AND SOCIAL NETWORKING

- 8.1 Staff in the 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. While social networking sites such as Twitter and Facebook should not be used by pupils under 13, many primary aged pupils access and use these tools as well as portals such as blogs. Even if a pupil seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his professional judgment 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 the member of staff in a very vulnerable position.
- 8.2 Staff and volunteers must not give their personal details such as home/mobile phone number; home or e-mail address to pupils unless the need to do so is agreed with senior management.

9. PHYSICAL CONTACT AND PERSONAL PRIVACY

- 9.1 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 professional role. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil in one set of circumstances may be inappropriate in another, or with a different pupil.
- 9.2 Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. If a member of staff or volunteer believes that an action could be misinterpreted, the incident and circumstances should be reported.
- 9.3 Physical contact, which occurs regularly with a pupil or pupils, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to pupils with SEN or physical disabilities). Any such contact should be the subject of an agreed and open school policy and subject to review. Where feasible, staff should seek the pupil's permission before initiating contact. Staff should listen, observe and take note of the pupil's reaction or feelings and – so far as is possible – use a level of contact which is acceptable to the pupil for the minimum time necessary.
- 9.4 There may be occasions when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation (Please see 11.1).
- 9.5 Where a member of staff has a particular concern about the need to provide this type of care and reassurance s/he should seek further advice from a senior leader.
- 9.6 During some curriculum areas, for example, during PE and games, or during music tuition, staff will on occasions have to make physical contact with a pupil in order to support them so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the pupil's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil
- 9.7 Pupils are entitled to respect and age appropriate levels of privacy when changing clothes. However, there needs to be an appropriate level of supervision in order to safeguard pupils, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the pupils concerned and sensitive to the potential for embarrassment.
- 9.8 Staff with a job description which includes intimate care duties will have appropriate training and written guidance. No other member of staff or volunteer should be involved in intimate care duties except in an emergency.

10. BEHAVIOUR MANAGEMENT AND PHYSICAL INTERVENTION

- 10.1 All pupils have a right to be treated with respect and dignity. Corporal punishment is unlawful in all schools. Staff and volunteers must not use any form of degrading treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards pupils is not acceptable in any situation. Shouting aggressively or hectoring is not acceptable in any situation. Deliberately intimidating pupils by overwhelming physical presence is not acceptable in any situation.

- 10.2 The circumstances in which staff can physically intervene with a pupil are covered by the 1996 Education Act. Staff may legitimately intervene to prevent a pupil from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Staff should have regard to the health and safety of themselves and others. 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. The school has a separate policy on the use of physical intervention which forms part of this Code of Conduct.
- 10.3 All schools must have trained first aiders/appointed persons. Staff must have had the appropriate training before administering first aid or medication except in an emergency. All staff will receive first aid training to a basic standard on a three yearly rotation.

11. ONE TO ONE SITUATIONS AND MEETINGS WITH PUPILS

- 11.1 Staff working in one to one situations with pupils are more vulnerable to allegations. Staff must recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure that the safety and security needs of both staff and pupils are met. Staff and Phase Leaders should undertake a risk assessment in relation to the specific nature and implications of one to one work for each worker and pupil. Where such a meeting is demonstrably unavoidable it is advisable to avoid remote or secluded areas of the school and to ensure that the door of the room is left open and/or visual/auditory contact with others is maintained. Any arrangements should be reviewed on a regular basis.
- 11.2 Pre-arranged meetings with pupils away from the school premises or on the school site when the school is not in session are not permitted unless approval is obtained from their parent/ guardian and the Head Teacher or other senior leaders with delegated authority.

12. TRANSPORTING PUPILS

- 12.1 In certain situations e.g. out of school activities, staff, volunteers or governors may agree to transport pupils. Wherever possible transport arrangements should be made in advance by a designated member of staff. Wherever possible and practicable transport should be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort.
- 12.2 Adults should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They must ensure that the vehicle is roadworthy and appropriately insured (for business use) and that the maximum capacity is not exceeded.
- 12.3 When transporting children of less than 135cm in height an appropriate car booster seat should always be used. Guidance is attached in appendix 1.

13. EDUCATIONAL VISITS AND ACADEMY CLUBS

Staff and volunteers should take particular care 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 which forms part of this Code of Conduct.

14. CURRICULUM

- 14.1 Many areas of the curriculum can include or raise subject matter which is of a sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity.
- 14.2 The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to pupils questions can require careful judgement and staff must take guidance in these circumstances from a senior member of staff.
- 14.3 The governing body is required by law to have a policy on sex and relationships education and it forms part of this Code of Conduct.

15. PHOTOGRAPHY, VIDEOS AND OTHER CREATIVE ARTS

15.1 Over a child's life in primary education there will be numerous occasions when photographs might be taken. Some parents have concerns about the taking and storage of photographs of their children: this policy seeks to address these concerns.

15.2 The Information Commissioner's Office has set out a good practice guide which states:-

'The Data Protection Act is unlikely to apply in many cases where photographs are taken in schools. Fear of breaching the provisions of the Act should not be wrongly used to stop people taking photographs or videos which provide many with much pleasure.'

Where the Act does apply, a common sense approach suggests that if the photographer asks for permission to take a photograph, this will usually be enough to ensure compliance.

- *Photographs taken for official school use may be covered by the act and pupils should be advised why they are being taken.*
- *Photographs taken purely for personal use are exempt from the Act.*

Examples

PERSONAL USE:

- *A parent takes a photograph of their child and some friends taking part in the school Sports Day to be put in the family photograph album. These images are for personal use and the Data Protection Act does not apply.*

OFFICIAL SCHOOL USE:

- *Photographs of pupils are taken for building passes; these images are likely to be stored electronically with other personal data and the terms of the Act will apply.*

- *A small group of pupils are photographed during lessons and the photograph is to be used in the school prospectus. This is unlikely to be personal data and the Act wouldn't apply."*

15.3 As part of the application process to Maltby Lilly Hall Academy permission is requested of the parents/carers for the pupils photograph or video image to be used within the school. In addition, permission is also requested each time a pupil takes part in an event/visit. This information is stored within the school's information management system.

16. STORAGE AND USE OF PHOTOGRAPHS OF PUPILS

- 16.1 We will store pupil photographs along with other personal data on our school Information System.
- 16.2 We may use photographs in our newsletters, brochures and press releases and as a record of events and visits.
- 16.3 We may use photographs on our website to illustrate events, visits and successes.

17. INTERNET AND ELECTRONIC COMMUNICATION

- 17.1 The school has a separate policy on internet use, electronic communication and security which forms part of this Code of Conduct.
- 17.2 Under no circumstances should adults in the school access inappropriate images. Deliberately accessing pornography on school equipment will be treated as gross misconduct and may be a criminal offence. Accessing indecent images of children on the internet, and making, storing or disseminating such material, is illegal and is likely lead to criminal prosecution and may result in barring from work with children and young people.

18. SHARING CONCERNS AND RECORDING INCIDENTS

18.1 All staff, volunteers and governors must be vigilant and share concerns and report incidents. Whistle blowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. The following "Red Flag Behaviours" give indications of the kinds of situations which should be shared with a senior member of staff.

An adult who:

- Allows a pupil/young person to be treated badly; pretends not to know it is happening
- Gossips/shares information inappropriately

- Demonstrates inappropriate discriminatory behaviour and/or uses inappropriate language
- Dresses in a way which is inappropriate for the job role
- Does not treat pupils fairly - demonstrates favouritism
- Demonstrates a lack of understanding about personal and professional boundaries
- Uses his/her position of trust to intimidate, threaten, coerce or undermine
- Appears to have an inappropriate social relationship with a pupil or pupils
- Appears to have special or different relationships with a pupil or pupils
- Seems to seek out unnecessary opportunities to be alone with a pupil.

19. CHILD SAFEGUARDING COMPETENCES FOR STAFF AND VOLUNTEERS WHO WORK WITH CHILDREN AND YOUNG PEOPLE

The following competences are necessary:

19.1 Emotional Awareness

- Aware of the range of emotions in self and others
- Demonstrates empathy for the concerns of others
- Listens to and understands directly and indirectly expressed feelings; Encourages others to express themselves openly
- Manages strong emotions and responds constructively to the source of problems
- Listens to personal comments without becoming defensive
- In highly stressful situations, keeps own feelings in check, takes constructive action and calms others down
- Has a range of mechanisms for dealing with stress, can recognise when to use them and does so
- Shows respect for others' feelings, views and circumstances.

19.2 Working within Professional Boundaries

- Demonstrates professional curiosity
- Accepts responsibility and accountability for own work and can define the responsibilities of others
- Recognises the limits of own authority within the role
- Seeks and uses professional support appropriately
- Understands the principle of confidentiality.

19.3 Self-awareness

- Has a balanced understanding of self and others
- Has a realistic knowledge of personal strengths and weaknesses
- Can demonstrate flexibility of approach
- Shows a realistic appreciation of the challenges of working with this client group.

19.4 Ability to Safeguard and promote the welfare of children and young people

- Appreciates the significance of safeguarding and interprets this accurately for all individual children and young people whatever their life circumstances
- Has a good understanding of the safeguarding agenda
- Can demonstrate an ability to contribute towards a safe environment
- Is up-to-date with legislation and current events
- Can demonstrate how s/he has promoted 'best practice'
- Shows a personal commitment to safeguarding children.

APPENDIX 1

Summary of seat belt and child restraint laws for cars, taxis, private hire cars, vans and other goods vehicles

Person	Front seat	Rear seat	Who is responsible?
Driver	Seat belt must be worn if fitted		Driver
Child up to three years of age	Correct child restraint must be used	The correct child restraint must be used. If one is not available in a licensed taxi or private hire vehicle, the child may travel unrestrained.	Driver
Child from third birthday up to 135cms in height (approx 4'5") or 12th birthday, whichever is reached first	Correct child restraint must be used	<p>Where seat belts are fitted, the correct child restraint must be used.</p> <p>The child must use an adult belt in the back seat if the correct child restraint is not available either:</p> <ul style="list-style-type: none"> ○ In a licensed taxi or private hire vehicle ○ For a short distance in an unexpected necessity ○ If two occupied child restraints prevent fitting of a third. <p>A child three years and over may travel unrestrained in the back seat of a vehicle if seat belts are not fitted in the rear.</p>	Driver
Child 12 or 13, or over 135 cm (approx 4' 5") in height	Seat belt must be worn if fitted	Seat belt must be worn if fitted	Driver