



SAINT JOHN'S

# Code of Conduct Staff Behaviour Policy

**Spring 2021**

This policy is to be read with the guide to safer working practice

Designated Member of Staff	Head Teacher
Committee with responsibility	Curriculum and Standards
Date of Issue	Autumn 2021
Frequency of Review	Annual

Issue Number	Issue Date	Summary of Changes
1	December 2021	Re-formatting of the policy

## **INTRODUCTION**

Education professionals recognise that they may sometimes be the victims of false or malicious allegations of child abuse by pupils and students or their parents. All allegations of child abuse must be taken seriously. This will require that each allegation will be investigated. Under child protection procedures this is likely to involve police and Social Service departments. It may be necessary to suspend the teacher or other employee concerned pending the outcome of any investigation, with all the inevitable consequences in terms of public perception and feelings of helplessness and isolation. The School Governors recognise that this will be a difficult and distressing experience especially if the allegations are eventually shown to be without foundation.

All staff should clearly understand the need to maintain appropriate boundaries in their dealings with pupils. Intimate or sexual relationships between staff and a pupil under the age of 18 years will be regarded as a breach of trust. On the 8 January 2001, the law changed with regard to sexual offences and it is now a criminal offence for a teacher or other persons who work with young children to breach this trust. The offence is punishable on conviction by a fine of up to the statutory maximum and /or a term of imprisonment of up to 6 months.

Whilst this advice is intended primarily for teachers it is relevant to all employees working with young people.

This is not a new concern and teachers have long been vulnerable to this kind of allegation. Teachers and others have generally adopted a professional, common sense approach in order to minimise this vulnerability in their day-to-day dealings with young people. Changes in patterns of allegation and a heightened concern among teachers and their professional associations, on behalf of their members who are affected by these allegations, have prompted the production of this Code of Conduct. It is intended to help staff reduce further the risk of any vulnerability to false or malicious allegations of misconduct or abuse towards pupils and students with whom they work. All teachers will understand and appreciate that a code of conduct cannot cover all eventualities and will not totally remove the risk of false or malicious allegations.

This code does not replace or take priority over the County Council's Child Protection Procedures. All staff must be aware of the action that must be taken by employees when child abuse is suspected whether inside the school, at home or elsewhere or following any disclosure of alleged abuse. A copy of the County Council's Child Protection Procedures is available from the Head Teacher and is on the website.

Many staff will be reassured by the advice contained in this code. It will in many cases simply confirm good professional practice. However, heightened awareness of abuse on the part of parents and pupils and a high media profile given to child abuse cases make it advisable for all employees to re-examine their approaches to individual pupils and their teaching styles to ensure that these do not give any grounds for doubt or suspicion on the part of colleagues, parents or pupils.

## **THE CODE**

### **General**

Employees should take care that their relationships with pupils reflect the age, gender and maturity of the pupils. It will be particularly important to ensure that all aspects of demeanor, language and attitudes - however conveyed - do not give rise to misunderstandings, especially when dealing with adolescent boys and girls. Ambiguous or ambivalent comment and conduct, in particular, should be avoided.

### **Physical Contact**

Physical contact may be misconstrued by a pupil, parent or observer. Touching pupils, including well-intentioned informal and formal gestures such as putting a hand on the shoulder or arm, can, if repeated regularly, lead to questions being raised. Staff must not make gratuitous physical contact with pupils and should avoid attributing 'touching' to their teaching style as a way of relating to pupils.

There will be occasions when physical contact will be acceptable. In general, these will fall into one of three categories:

**1. Action to prevent harm or injury to the pupil or to others**

If it is necessary to prevent a pupil causing injury to him/herself or to others the use of minimum force and contact necessary to prevent harm or injury is acceptable and defensible. Such incidents must always be reported.

**2. Comforting a pupil in distress**

There is no easy definition of what is acceptable since much will depend on the circumstances, the age of the pupil, the extent and cause of the distress and the alternative means of providing comfort. Employees will need to use their professional judgement and discretion in relation to these factors. Employees should consider how others might perceive the action, even if no one else is present, and ensure that it does not develop into unnecessary contact. Particular care must be taken in instances, which involve the same pupil over a period of time.

**3. Unavoidable contact**

This is a particularly sensitive issue in subjects such as Physical Education and Drama and in some forms of skills coaching. All teachers must be alert to the possibilities of misinterpreting any contact. To avoid such misunderstanding all planned contact must be demonstrably unavoidable. It may be, for example, that alternative methods involving demonstrations of particular techniques by the teacher or a particularly competent pupil may be more appropriate than modifying a pupil's technique by physical contact. It will generally not be acceptable for physical contact to take place between adolescent pupils and teachers. In cases of doubt or uncertainty staff should seek advice from their Headteacher or Deputy Headteacher.

There are other occasions when physical contact may be questioned even if innocent in intention. Employees should therefore ensure that their actions recognise the possibility of misinterpretation and are open to the scrutiny of colleagues. Individual professional judgments

will be required about the level of physical contact with individual children, which will take account of their age, circumstances and background.

### **Corporal Punishment**

Any form of physical punishment is prohibited under disciplinary procedures and potentially actionable in law. This also applies to any form of physical response to misbehaviour, with the exception noted above.

### **Private meetings**

Private meetings, by their very nature, provide opportunities for pupils to make malicious allegations. Teachers and others must therefore recognise this possibility and plan such meetings accordingly. It is advisable to avoid remote areas of the school and to ensure that wherever possible the door is left open or visual contact with others is maintained. Under no circumstances should meetings with individual pupils be arranged off the school premises without the prior approval of the Headteacher or any senior colleague with delegated authority to approve such meetings. This includes the transporting of individual children in private cars. Such meetings should, in any event, be discouraged.

Where it is not possible to meet in the circumstances referred to above another member of staff should be told of the meeting beforehand. Steps to prevent others entering a room by the use of 'Meeting in Progress' are especially likely to be open to misinterpretation. In many cases it will be advisable for another pupil or adult to be present or in a position to minimise risk during the interview.

### **Pupils with Special Needs**

If pupils require assistance with toileting staff should consider whether it would be possible to arrange for the presence of another adult in the vicinity. Where this is not possible employees should discuss with their Headteacher what arrangements will be reasonable in all the circumstances. The Headteacher may refer to the matter to the relevant agency for further advice.

## **First Aid**

The existence of any life threatening or serious condition will determine the suitability and necessity of physical contact. In the absence of such justification employees who administer first aid should ensure that, wherever possible, other children or another adult can be present if there is any doubt over the possibility of any physical contact being misconstrued.

## **Comments and Discussions with Pupils**

Employees must avoid comments to or about pupils which could be taken to have sexual overtones. It is equally unacceptable for employees to encourage debate and discussion between groups of students, which could be interpreted as having sexual overtones, which are not justified in the context of the teaching programme. It will be especially helpful if Schemes of Work highlight particular areas of risk and sensitivity. Specific guidance may be needed to assist newly qualified or other teachers who are new to this area of work. This will call for the exercise of careful judgment in responding to questions raised by pupils.

Notwithstanding the advice given above it is recognised that, in order to discharge particular pastoral responsibilities, employees may from time to time need to engage in conversation with pupils and students which cover sensitive matters. Teachers must use their professional judgement to ensure that they are not drawn into areas inappropriate to their duties or their relationship with the pupils concerned. Staff must also use their discretion to ensure that, for example, any probing for details cannot be construed as unjustified intrusion.

In responding to individual students' distress employees will need to consider carefully whether they should offer advice, sympathy or counselling if a discussion enters a sensitive area or, alternatively, refer them to a colleague or agency who is better placed to offer appropriate advice.

The persistent and hurtful use of sarcastic, demeaning or insensitive comments towards young people may also be regarded as a form of abuse which is potentially very damaging and should be avoided.

## **Infatuations and Crushes**

These unfortunately do develop and can involve pupils and teachers of both sexes on both a heterosexual and homosexual basis. They need to be handled sensitively. Careless and insensitive reactions have been known to provoke false accusations. It is therefore in the interest of all parties to avoid adding to the pupil's problems by encouraging the crush or making jokes about the situation. In such situations the advice of a senior colleague must be sought. Other members of staff have a part to play, too, in alerting a colleague to the possibility of an infatuation in order that appropriate steps can be taken to minimise hurt and distress and the risk to the teacher concerned. Whilst the risk of infatuation is not limited to younger members of staff, newly qualified teachers must recognise their particular vulnerability to adolescent infatuation.

## **Out of School and After-School Activities**

Employees should take particular care when supervising pupils in the less formal atmosphere of a residential setting or after-school activity. The more relaxed relationships that may promote successful activities can be misinterpreted by young people. It is important to emphasise that the standards of professional conduct and behaviour expected of employees should be no different to that which applies within school. Employees should be aware of the particular care, which should be taken with older, more mature students in these circumstances.

## **Teaching materials**

The use of books, videos and films of an explicit or sensitive nature, particularly in relation to language or sexual behaviour must be given careful consideration to ensure that its selection is not subsequently misinterpreted. There should always, therefore, be a clear link with the targets of the teacher's programme.

## **Reporting Incidents**

Teachers should report any concerns they may have following any incident where s/he feels that his/her actions may have been misinterpreted. This report should be made to the Headteacher as soon as possible after the incident and should include as an immediate follow-up the preparation of a written note of the incident, a copy of which should be given to the Headteacher.

The teacher may also wish to seek advice from his/her professional association. Headteachers who face similar situations are advised to contact the school's SIP.

Whilst reporting of incidents is always advisable it is particularly important to ensure that a contemporary written record is made if any form of restraint has been used against a pupil or whenever a pupil, parent or third party has complained about an action or expressed an intention to complain.

### **Personal letters and on-line communication**

It will rarely be appropriate for teachers to write personal notes or letters, or to send e-mail, to individual students. If a teacher believes it to be necessary to write a personal note to a pupil, s/he should discuss the purpose and context with a senior colleague, who should refer to the Headteacher or Child Protection Coordinator if they require further advice.

This advice is not intended to curtail the use of e-mail where schools have agreed the use of this medium for submission of work, advice over aspects of subjects being covered or other professional matters and have ensured that parents and carers are aware of the school's policy. However, all teachers and other adults using e-mail in this context need to be aware of the less formal style that can characterise this form of communication and should ensure that responses do not convey an inappropriate tone. In particular, a friendly and chatty style committed to e-mail can easily be misconstrued by the recipient, as the 'conversation' is effectively private to just two individuals, with all that this implies.

Ideally, both teachers and pupils should use an e-mail address provided as part of an official school or LA internet service, even if they are sending messages while working at home. Since these services can be monitored, they provide a measure of protection for both parties. Schools should implement a code of conduct in which pupils and adults understand what to do if they receive inappropriate e-mail messages from any source.

The increased availability of internet 'chat rooms' and similar on-line forums also poses risks for children and teachers. While they are popular among young people and offer many positive

experiences, there is widespread concern about their potential abuse by paedophiles attempting to groom new victims. The School's advice is that teachers should not use unregulated chat rooms for children and should be aware that it is impossible to determine the age of any participant in these environments. Managed services are available in which on-line discussions for educational purposes can be organized in a secure environment for bona fide participants.

## **FOOTNOTE**

Many teachers express regret at the need for a code such as this. However, its purpose is to promote the highest standards of care for young people and to protect teachers and others from the potentially devastating consequences of false allegations. It is an unfortunate fact that society is less trusting and that, on occasions, cases have come to light, which have justified the increased level of mistrust. All teachers are urged to consider how they can safeguard their own position in the light of this advice without giving up important personal principles of care and trust. Whenever doubt exists any teacher should seek the advice of his/her Headteacher or experienced senior colleague.