

CODE OF CONDUCT FOR STAFF

Rooted in Christ and Catholic tradition and under the guidance of its patron, St Edmund's aims to realise the God-given potential, in body, mind and spirit, of all members of its community through service and leadership.

Avita Pro Fide

St Edmund's is committed to ensuring the welfare and protection of children in its care and this commitment is a fundamental part of the role of every person employed by St Edmund's.

This policy has the potential for the expression of Christian qualities such as honesty, self-knowledge, respect for others and their gifts, recognition of the needs and achievements of others, challenge of self and others, personal growth and openness.

The College is committed to providing a positive working environment which is free from prejudice and unlawful discrimination and any form of harassment, bullying or victimisation. We have developed a number of key policies to ensure that the principles of Catholic Social Teaching in relation to human dignity and dignity in work become embedded into every aspect of school life and these policies are reviewed regularly in this regard.

As an individual working with pupils, or likely to come into contact with them, you have a responsibility to maintain public confidence in your ability to safeguard their welfare.

You must adopt a high standard of personal conduct in order to maintain the confidence and respect of our colleagues, pupils, public in general and anyone with whom you come into contact during your working time.

You should be mindful of the effects that your behaviour may have on pupils who look to adults as role models.

You should be aware that your behaviour in your personal life may come under scrutiny from local communities, the media or public authorities. You must therefore exercise judgement and integrity in your actions both inside and outside of the workplace. If you are in any doubt as to your responsibilities or the standards of conduct expected you should speak to your line manager.

Purpose and application

- 1 **Purpose:** Relationships with colleagues, visitors, volunteers, pupils and their parents or guardians should be reasonable and mutually respectful at all times. This Code of Conduct (**Code**) has been formulated in order to maintain this balance. This Code is aligned with the College's Safeguarding and Child Protection Policy and the following sources (collectively referred to in this Code as the **Guidance**):

- 1.1 **Keeping Children Safe in Education (KCSIE):**

- 1.1.1 KCSIE incorporates the additional statutory guidance, *Disqualification under the Childcare Act 2006* (August 2018);



- 1.1.2 KCSIE also refers to the non-statutory advice for practitioners: *What to do if you're worried a child is being abused* (March 2015);
- 1.1.3 KCSIE refers also to non-statutory guidance from the National Police Chiefs' Council: *When to call the police* ([click here](#)).
- 1.2 *Working Together to Safeguard Children* (July 2018 – updated in July 2022 but without changing the date in the published version) (**WT**):
 - 1.2.1 WT refers to the non-statutory, but important, advice: *Information sharing* (2018)
- 1.3 *Prevent Duty Guidance: for England and Wales* (updated April 2021) (**Prevent**) ([click here](#)) Prevent is supplemented by non-statutory advice and a briefing note:
 - 1.3.1 *The Prevent Duty: Departmental advice for schools and childcare providers* (June 2015);
 - 1.3.2 *The use of social media for online radicalisation* (July 2015).
- 1.4

The Safer Recruitment Consortium's Guidance for safer working practice for those working with children and young people in education settings (May 2019) ([click here](#)).
- 1.5 The guidance, documents and legislation listed in paragraph A3 of the College's Safeguarding and Child Protection Policy.

2 The purpose of the Code is to:

- 2.1 confirm and reinforce the professional responsibilities of all Staff;
- 2.2 promote efficient and safe working and to safeguard the wellbeing of pupils;
- 2.3 in conjunction with the College's Policy on Safeguarding and Child Protection, clarify the legal position in relation to sensitive aspects of Staff/pupil relationships and communication including the use of social media;
- 2.4 set out the expectations of standards and behaviour to be maintained within the College, and
- 2.5 help adults establish safe practices and reduce the risk of false accusations or improper conduct.

3 Any failure to comply with the Code will be taken seriously and therefore may be referred to the Local Authority Designated Officer (LADO) in accordance with the College's Safeguarding and Child Protection Policy or dealt with under the College's Disciplinary Policy and could lead to dismissal. The College's Disciplinary Policy lists examples or matters that will normally be regarded as gross misconduct.



- 4 **Application:** The Code applies to all Staff working in the College and Prep (**College**), whether paid or unpaid, whatever their position, role or responsibilities and "Staff" includes employees, governors, contractors, pupils and volunteers.
- 5 **Your duty:** It is the duty of every member of Staff to observe the rules and obligations in this Code. You should also follow the Guidance. The College also has a duty of care to its staff, parents, guardians or carers, and pupils and the implementation of the practices in this Code will help to discharge that duty.
- 6 **Wrongdoing:** All staff are required to report their own wrongdoing, or any wrongdoing or proposed wrongdoing of any other member of staff. The College operates a Whistleblowing Policy which is contained within the Staff Handbook.
- 7 **Application with other policies:** The Code should be read in conjunction with the College's Safeguarding and Child Protection Policy and Whistleblowing Policy. All Policies are available electronically on the College's Microsoft Teams: SEC/General/Files/Handbook.

Guiding principles

- 8 Principles for all Staff
 - 8.1 All Staff should put the wellbeing, development and progress of all pupils first by:
 - 8.1.1 taking all reasonable steps to ensure the safety and wellbeing of pupils under their supervision;
 - 8.1.2 using professional expertise and judgment for the best interests of pupils in their care;
 - 8.1.3 demonstrating self-awareness and taking responsibility for their own actions and for providing help and support to pupils;
 - 8.1.4 raising concerns about the practices of teachers or other professionals where these may have a negative impact on pupils' learning or progress, or may put pupils at risk;
 - 8.1.5 being familiar with the College's Safeguarding and Child Protection Policy;
 - 8.1.6 knowing the role, identity and contact details of the current Designated Safeguarding Lead and their deputy, in both the Prep School and College, and
 - 8.1.7 being aware that they are in a position of trust (i.e. the adult is in a position of power or influence over the pupil due to his or her work); that the relationship is not a relationship between equals and that this position must never be used to intimidate, bully, humiliate, coerce or threaten pupils.
 - 8.2 All Staff should demonstrate respect for diversity and take steps to promote equality by:



- 8.2.1 acting appropriately and in accordance with this Code, towards all pupils, parents, guardians or carers and colleagues;
- 8.2.2 complying with the College's Equal Opportunities and Prevention of Bullying Policy and this Code;
- 8.2.3 addressing issues of discrimination and bullying whenever they arise, and
- 8.2.4 helping to create a fair and inclusive College environment.
- 8.3 All Staff should work as part of a unified Staff body by:
 - 8.3.1 acting, at all times, in good faith and in the best interests of the College, its pupils and staff;
 - 8.3.2 developing productive and supportive relationships with colleagues;
 - 8.3.3 exercising any management responsibilities in a respectful, inclusive and fair manner;
 - 8.3.4 complying with all College policies and procedures;
 - 8.3.5 participating in the College's development and improvement activities;
 - 8.3.6 recognising the role of the College in the life of the local community;
 - 8.3.7 upholding the College's reputation and standing within the local community and building trust and confidence in it;
 - 8.3.8 demonstrating honesty and integrity;
 - 8.3.9 understanding and upholding their duty to safeguard the welfare of children and young people;
 - 8.3.10 maintaining reasonable standards of behaviour whether inside or outside of normal College hours and whether on or off the College's site, and
 - 8.3.11 avoiding conduct which is incompatible with, or prejudicial to, the religious character of the College or the precepts or tenets of the Catholic Church.
- 8.4 All Staff should understand that the College has a legal duty to have regard to the need to prevent people from being drawn into terrorism, and consequently should be aware of:
 - 8.4.1 what extremism and radicalisation means and why people - including pupils and fellow staff members - may be vulnerable to being drawn into terrorism as a consequence of it;
 - 8.4.2 what measures are available to prevent people from becoming drawn into terrorism and how to challenge the extremist ideology that can be associated with it, and



- 8.4.3 how to obtain support for people who may be being exploited by radicalising influences.

8.5 **Reporting Low Level Concerns:**

At Appendix A of this Policy is an extract from our Safeguarding and Child Protection Policy 2023, which sets out what a Low-Level Concern is and the importance of sharing such concerns.

9 **Additional principles for teachers**

- 9.1 From October 2015, teachers must report to the police cases where they discover that an act of female genital mutilation appears to have been carried out. The Designated Safeguarding Lead should be informed by the member of staff. It will be rare for teachers to see visual evidence, and they should not be examining pupils.
- 9.2 Teachers should take responsibility for maintaining the quality of their teaching practice by:
- 9.2.1 meeting the professional standards for teaching applicable to their role and position within the College;
 - 9.2.2 reflecting on their current practice and seeking out opportunities to develop knowledge, understanding and skills;
 - 9.2.3 helping pupils to become confident and successful learners; and
 - 9.2.4 establishing productive relationships with parents, guardians or carers by:
 - (a) providing accessible and accurate information about their child's progress;
 - (b) involving them in important decisions about their child's education; and
 - (c) complying with this Code.
- 9.3 Teachers should maintain public trust and confidence in the College by:
- 9.3.1 Adhering to paragraphs 8.2 and 8.3 above, and
 - 9.3.2 maintaining an effective and safe learning environment.

Guidance on Staff/pupil relationships

- 10 **Application:** Allegations of unprofessional conduct or improper contact or words can arise at any time. Professionalism and vigilance are required to ensure the safety of children in our care, and to reduce the risk of an allegation of impropriety against a member of Staff. This guidance applies to all adults working in the College, and not just teachers.



- 11 **Sexual contact:** Staff must not:
- 11.1 indulge in any type of sexual relationship with a pupil or pupils
 - 11.2 have sexually suggestive or provocative communications with a pupil
 - 11.3 make sexual remarks to or about a pupil
 - 11.4 discuss their own sexual relationships in the presence of pupils
- 12 **Abuse of a position of trust and Inappropriate relationships with College pupils:** Sexual relationships or sexual contact with any pupils, or encouraging a relationship to develop in a way which might lead to a sexual relationship or any relationship is inappropriate and is a grave breach of trust that will likely lead to disciplinary action and may also lead to criminal prosecution. It is the criminal offence of an abuse of a position of trust to have any sexual relationship with any College pupil under the age of 18. Whilst not a criminal offence, it is a breach of this Code (and considered to be gross misconduct) to have a relationship, including a sexual relationship, with any pupil of the College, even if over the age of 18.
- 13 **Inappropriate relationships with pupils at another school:** Forming relationships with children or young people who are pupils at another College or school will be a criminal offence if they are under 16 but may also be a criminal offence if under the age of 18 and will also be regarded as gross misconduct. Such behaviour brings the College into disrepute and gives rise to concern that the Staff involved cannot be trusted to maintain professional boundaries with pupils at the College. Whilst not necessarily a criminal offence, the College considers it inappropriate for Staff to form inappropriate relationships with a pupil of any College or school, irrespective of their age.
- 14 **General guidance:** You should be aware of the general guidance that will apply in all cases. In particular, staff:
- 14.1 need to exercise professional judgment but always act within the spirit of these guidelines. If you are involved in a situation where no specific guidance exists, you should discuss the circumstances with the Designated Safeguarding Lead. A written record should be kept that includes justification for any action taken
 - 14.2 must be familiar with procedures for handling allegations against Staff (as outlined in section C10 of the College's Safeguarding and Child Protection Policy)
 - 14.3 must be aware of the College's Safeguarding and Child Protection Policy and Whistleblowing Policy
 - 14.4 must seek guidance from the Designated Safeguarding Lead if you are in any doubt about appropriate conduct
 - 14.5 must report any actions which could be misinterpreted, any misunderstandings, accidents or threats involving you and a pupil or a group of pupils to the Designated Safeguarding Lead.
- 15 **Behaviour giving particular cause for concern:** You should take particular care when dealing with a pupil who:



- 15.1 appears to be emotionally distressed, or generally vulnerable and/or who is seeking expressions of affection
- 15.2 appears to hold a grudge against you
- 15.3 acts in a sexually provocative way, or who is inclined to make exaggerated claims about themselves and others, or to fantasise, or one whose manner with adults is over-familiar
- 15.4 may have reason to make up an allegation to cover the fact that he or she has not worked hard enough for public examinations
- 16 **Procedure to be followed in these cases:** Some of these behaviours may be indications that a child has been, or is currently being, abused and should therefore be reported to the Designated Safeguarding Lead under the College's Safeguarding and Child Protection Policy.
- 17 **Record keeping:** Comprehensive records are essential. Any incident involving children that could give cause for concern, whether contemplated in these guidelines or not, must be recorded, with justifications for any action taken. In addition, any incident should be reported promptly to the Designated Safeguarding Lead.
- 18 **Good order and discipline:** Staff in charge or control of pupils must maintain good order and discipline at all times when pupils are present on College premises and whenever pupils are engaged in authorised College activities, whether on College premises or elsewhere.

General conduct

- 19 **College property:** You must take proper care when using College property and you must not use College property for any unauthorised use or for private gain.
- 20 **Use of premises:** You must not carry out on College premises any work or activity other than pursuant to your terms and conditions of employment without the prior permission of the Headmaster.
- 21 **Behaviour of others:** You should be aware that the behaviour of your partner or other family members or any member of your household may raise concerns. Such concerns will be given careful consideration as to whether they constitute a potential risk to children at the College.

Meetings with pupils

- 22 **One-to-one meetings:** If you are conducting a one-to-one meeting or teaching session with a pupil, you should take particular care in the following ways:
 - 22.1 when working alone with a pupil is an integral part of your role, conduct and agree full risk assessments with the Deputy Head / Headmaster
 - 22.2 use a room that has sufficient windows onto a corridor so the occupants can be seen, or keep the door open, or inform a colleague that the lesson / meeting is taking place
 - 22.3 arrange the meeting during normal College hours when there are plenty of other people about



- 22.4 do not continue the meeting for any longer than is necessary to achieve its purposes
- 22.5 avoid sitting or standing in close proximity to the pupil, except as necessary to check work
- 22.6 avoid using "engaged" or equivalent signs on doors or windows
- 22.7 ensure that discussions are always appropriate
- 22.8 avoid all unnecessary physical contact and apologise straight away if there is accidental physical contact
- 22.9 avoid any conduct that could be taken as a sexual advance
- 22.10 report any incident that causes you concern to the Designated Safeguarding Lead under the College's Safeguarding and Child Protection Policy and make a written record (signed and dated)
- 22.11 report any situation where a pupil becomes distressed or angry to the Designated Safeguarding Lead.
- 23 ***Pre-arranged meetings:*** Pre-arranged meetings with pupils outside College should not be permitted unless approval is obtained from their parents, guardians or carers and the Deputy Head / Headmaster. If you are holding such a meeting, you should inform colleagues before the meeting.
- 24 ***Home visits:*** In some circumstances home visits are necessary. You should:
 - 24.1 discuss the purpose of any visit with Designated Safeguarding Lead and adhere to any agreed work plan/contract;
 - 24.2 follow the risk management strategy and ensure appropriate risk assessments are in place. Where there is insufficient information to complete a risk assessment, ensure that you are accompanied by a colleague;
 - 24.3 never visit when parents are not present;
 - 24.4 not visit unannounced if this can be avoided;
 - 24.5 leave the door open where you will be alone with pupils;
 - 24.6 keep records detailing times of arrival and departure, and work undertaken;
 - 24.7 ensure that any behaviour or situation that gives rise to a concern is reported and actioned
 - 24.8 discuss with the Designated Safeguarding Lead anything that gives cause for concern in accordance with the College's Safeguarding and Child Protection Policy;
 - 24.9 have an emergency contact.
- 25 ***The use of personal living space:*** Pupils should not be in or invited into the personal living space of any member of Staff under any circumstances.

Professionalism

Staff should maintain professional behaviour at all times. In particular, staff should be aware of conversations in common areas. Staff should always be mindful that colleagues and visitors may overhear conversations and should keep such conversations appropriate and professional,

- 26 **Language:** You should use appropriate language at all times. You should:
- 26.1 avoid words or expressions that have any unnecessary sexual content or innuendo; avoid displays of affection either personally or in writing (e.g. messages in birthday cards, text messages, emails etc)
 - 26.2 avoid any form of aggressive or threatening words
 - 26.3 avoid any words or actions that are over-familiar
 - 26.4 not swear, blaspheme or use any sort of offensive language in the presence of colleagues, pupils or visitors.
 - 26.5 avoid the use of sarcasm, discriminatory, or derogatory words when punishing or disciplining pupils and avoid making unprofessional personal comments about anyone. Any sanctions should be in accordance with the College's behaviour and discipline policies.
 - 26.6 be aware that some parts of the curriculum may raise sexually explicit subject matters. Care should be taken in subjects where rules/boundaries are relaxed (e.g. drama or art). Staff should have clear lesson plans and should take care to avoid overstepping personal and professional boundaries.
- 27 **Dress & Appearance:** The College regularly receives visits from parents, potential parents and others, and naturally wish to convey an impression of efficiency and organisation. Therefore, whilst not wishing to impose unreasonable obligations on staff you are, nonetheless, required to look smart in appearance. You should dress appropriately and in a professional manner. We expect high standards of pupils and expect all staff to adopt those same standards. All staff must be mindful that adults are role models for pupils and, as the College enforces breaches of standards by pupils, pupils must witness all staff applying those standards to themselves. Such an approach will ease the enforcement of standards with pupils who should mirror the set example. Dress must not be offensive, distracting, revealing, or sexually provocative, embarrassing or discriminatory. Political or other contentious slogans or badges are not allowed.
- 28 **Attendance and Time-Keeping:** The College expects high standards of professionalism in relation to attendance and time keeping.
- 29 **Substance Misuse:** The College is committed to providing a safe, healthy and productive environment to all pupils and staff. This includes ensuring that all staff are fit to carry out their roles safely and effectively in an environment which is free from alcohol and drug misuse.

'Alcohol misuse' is defined as unauthorised possession of, or consumption of, alcohol during working hours, attending work under the influence of alcohol or being in the presence of others involved in alcohol misuse.



'Drug misuse' refers to the possession or use of illegal substances, the misuse of prescribed drugs and other substances such as solvents, being under the influence of any of the above or being in the presence of others involved in drug misuse.

'During working hours' includes during breaks, when on duty or on the way to work.

The College does not permit:

Being under the influence of any drug or other substance during working hours when such drug/s or substance/s may affect an individual's ability to suitably look after the children in their care;

Drug or alcohol misuse during working hours;

Being under the influence of non-prescribed drugs or alcohol while at work, on duty or at any time while having responsibility for the supervision and care of children

Encouraging others to misuse alcohol or drugs, and

Drug, alcohol or substance misuse out of working hours but which in the opinion of the College brings it into disrepute;

While on College trips you must not drink alcohol or be under the influence of any medication or substance that may affect your judgment or performance whilst responsible for the supervision and care of children. In cases where the trip leader permits alcohol consumption for off-duty staff, you must seek confirmation from the trip leader beforehand and never exceed the drink-driving limit when driving vehicles.

The College will treat any information regarding employees' problems with drugs or alcohol as confidential, subject to its legal obligations. The College can offer support to those experiencing problems by referring employees to an advisory service, for example. However, Staff are encouraged to seek help directly from a medical professional, particularly if they feel they have a problem (for example, if medication is affecting their ability to care for children or perform their role or they consider they are struggling with an addiction). The College endeavours to provide information to Staff about the effects of drugs on health and safety.

Notwithstanding the above, drug and alcohol misuse may become a matter for disciplinary action, particularly where help is refused and/or impaired performance continues. In cases of gross misconduct, dismissal may result from disciplinary proceedings. The College will report to the police any incidents of possession of or dealing in illegal substances.

Employees have a duty to report any incidents of Staff or pupils engaging in drug or alcohol misuse. Failure to do so may result in disciplinary sanctions up to and including dismissal.

Every member of Staff has a responsibility to securely store away from pupils, at all times, any medicines, substances, drugs or alcohol.

The use of force or physical restraint

29.1 Staff must always adhere to the Restraint Policy.



Physical contact in other circumstances

- 30 ***When physical contact may be appropriate:*** Physical contact with a pupil may be necessary and beneficial in order to demonstrate a required action, or a correct technique in, for example, singing and other music lessons or during PE, sports and games. Any physical contact should be in response to the pupil's needs, of limited duration and appropriate to the pupil's age, stage of development, gender, ethnicity and background. Physical contact can be easily misinterpreted and should be limited. Staff should use professional judgement.
- 31 ***Guidance on using physical contact:*** You should observe the following guidelines (where applicable):
- 31.1 explain the intended action to the pupil
 - 31.2 do not proceed with the action if the pupil appears to be apprehensive or reluctant, or if you have other concerns about the pupil's likely reaction
 - 31.3 ensure that the door is open and if you are in any doubt, ask a colleague or another pupil to be present during the demonstration
 - 31.4 consider alternatives if it appears likely that the pupil might misinterpret the contact
- 32 ***Report concerns:*** If you are at all concerned about any instance of physical contact, inform the Designated Safeguarding Lead / Designated Senior Manager without delay, and make a written record in the incident book and on the pupil's file if necessary.
- 33 ***Offering comfort to distressed pupils:*** Touching may be appropriate where a pupil is in distress and needs comforting. You should use your own professional judgement when you feel a pupil needs this kind of support and should be aware of any special circumstances relating to the pupil. For example, a child who has been abused may find physical contact particularly difficult. You should always notify the Deputy Head/ Headmaster when comfort has been offered, record the action and should seek guidance if unsure whether it would be appropriate in a particular case.
- 34 ***Administering first aid:*** When administering first aid you should explain to the child what is happening and ensure that another adult is present or is aware of the action being taken. Parents, guardians or carers should be informed and Staff should:
- 34.1 adhere to the College's First Aid, Illness and Accident Reporting Policy
 - 34.2 comply with the necessary reporting requirements
 - 34.3 make other adults aware of the task that is being undertaken
 - 34.4 explain what is happening
 - 34.5 report and record the administration of first aid or send an email to the Health Centre.
 - 34.6 have regard to any health plans
 - 34.7 ensure that an appropriate health/risk assessment is undertaken prior to undertaking certain activities



- 35 ***Pupils' entitlement to privacy:*** Children are entitled to privacy when changing or showering. However there still must be an appropriate level of supervision to ensure safety. You should:
- 35.1 avoid physical contact or visually intrusive behaviour when children are undressed
 - 35.2 announce yourself when entering changing rooms and avoid remaining unless required
 - 35.3 not shower or change in the same place as children
 - 35.4 not assist with any personal care task which a pupil can undertake themselves
- 36 ***Where a child has been abused:*** Where a child has previously been abused, Staff should be informed on a 'need to know' basis, and should be extra cautious when considering the necessity of physical contact. Some children may seek inappropriate physical contact. Staff should sensitively deter the pupil and help them understand the importance of personal boundaries. Such incidents should be reported and discussed with the Deputy Head/ Headmaster and parents, guardians or carers where appropriate.
- 37 ***Children with special educational needs or disabilities:*** Some children may need more physical contact to assist their everyday learning, which should be agreed and understood by all concerned, justified, openly applied and open to scrutiny. The Designated Safeguarding Lead will establish whether any reasonable adjustments are required for such pupils, in conjunction with the appropriate Staff.

Code of conduct for contact outside College

- 38 ***Contact outside College:*** You should avoid unnecessary contact with pupils outside the College. You should:
- 38.1 not give pupils your home address, home phone number, mobile phone number or e-mail address
 - 38.2 not send personal communications (such as birthday cards or faith cards, text messages etc) to children unless agreed with the Headmaster.
 - 38.3 not make arrangements to meet pupils, individually or in groups, outside College other than on College trips authorised by the Headmaster.
 - 38.4 not contact pupils at home except in an emergency and with the permission of the Headmaster or Deputy Head. A record should be kept giving details of the why the contact was required and what was communicated to the pupils
 - 38.5 not give private tuition to current pupils of, or applicants to, the College
 - 38.6 not give a pupil a lift in your own vehicle other than on College business or in an emergency and with permission from the Headmaster or Deputy Head
 - 38.7 not invite pupils (groups or individuals) to your home or boarding accommodation. This prohibition also applies if you have on site accommodation



- 38.8 report and record any situation which may place a child at risk or which may compromise the College's or your professional standing
- 38.9 never engage in secretive social contact with pupils or their parents, guardians or carers
- 38.10 not contact or allow yourself to be contacted by pupils via social media. If a pupil contacts you, you must report it to the Designated Safeguarding Lead who will take the appropriate action.
- 39 ***Social contact / Social media:*** You should be aware that where you meet children or parents, guardians or carers socially, such contact could be misinterpreted as inappropriate, abuse of a position of trust or grooming. Any social contact that could give rise to concern should be reported to the Deputy Head/ Headmaster. In addition, all Staff should be mindful that personal use of social media that impacts the College may result in disciplinary action, including dismissal.
- 40 ***Friendships with parents, guardians or carers and pupils:*** Members of Staff who are friends with parents, guardians or carers of pupils or who, for example, are voluntary workers in youth organisations attended by pupils, will of course have contact with those pupils outside the College. However, members of Staff should still respect the above advice wherever possible and should keep the Headmaster informed of such relationships.
- 41 ***Scope of application of the Code on contact outside College:*** The same guidelines should be applied to after College clubs, College trips, and especially trips that involve an overnight stay away from the College. Additional guidelines apply for College trips and reference should be made to the Educational Visits Coordinator of the College. The principles of this guidance also apply to contact with children or young people who are pupils at another College.
- 42 ***Transporting Pupils:*** There may be some situations when Staff are required to transport pupils but this will usually be by taxi with the member of staff accompanying a pupil. You should:
- 42.1 ensure that you are fit to drive and free from any substances that may impair your judgement or ability to drive
- 42.2 be aware that until the pupil is passed over to a parent/carer, you have responsibility for that pupil's health and safety
- 42.3 record the details of the journey
- 42.4 record and be able to justify impromptu or emergency lifts and notify the Headmaster
- 42.5 ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety, including appropriate insurance, seat belts, adherence to maximum capacity guidelines etc
- 42.6 wherever practicable, you should avoid using private vehicles and should try and have one adult additional to the driver to act as an escort



- 43 ***After College activities:*** When taking part in after College activities, you should:
- 43.1 be accompanied by another adult unless otherwise agreed with the Deputy Head / Headmaster
 - 43.2 undertake a risk assessment
 - 43.3 obtain parental consent
- 44 ***Educational visits:*** When taking part in educational visits, you should:
- 44.1 follow the College's policy on Educational Visits
 - 44.2 be accompanied by another adult unless otherwise agreed with the Deputy Head/ Headmaster
 - 44.3 undertake a risk assessment
 - 44.4 obtain parental consent
 - 44.5 never share sleeping accommodation
- 45 ***Overnight supervision:*** Where overnight supervision is required, e.g., to preserve the integrity of the examination process:
- 45.1 you should ensure that a risk assessment has been undertaken and that all members of the household have had the appropriate checks
 - 45.2 arrangements should be made with and agreed by parents, guardians or carers and the pupil
 - 45.3 one to one supervision should be avoided where possible
 - 45.4 choice, flexibility and contact with "the outside world" should be incorporated, so far as it is consistent with appropriate supervision and the College's guidelines
 - 45.5 whenever possible, independent oversight of the arrangements should be made and
 - 45.6 any misinterpretation, misunderstanding or complaint should be reported

Communication with pupils (including the use of technology)

- 46 ***Communicating with children and parents, guardians or carers:*** All communication with children or parents, guardians or carers should conform to College policy and be limited to professional matters. Except in an emergency, communication should only be made using College property.
- 47 ***Application:*** These rules apply to any form of communication including new technologies such as mobile phones, web-cameras, social networking websites and blogs. You should also ensure you comply with the Staff ICT Acceptable Use Policy.



- 48 **Dealing with "crushes":** Crushes, fixations or infatuations are part of normal adolescent development. However, they need sensitive handling to avoid allegations of exploitation. Such "crushes" carry a high risk of words, actions and expressions being misinterpreted, therefore, the highest level of professionalism is required. If you suspect that a pupil has a "crush" on you or on another colleague, you should bring it to the attention of the Headmaster at the earliest opportunity. Suggestions that a pupil may have developed a "crush" should be recorded. Staff should avoid being alone with pupils who have developed a "crush" on them and if the pupil sends personal communications to the member of Staff, this should be reported to the Deputy Head / Headmaster and recorded.
- 49 **Acceptable Use:** Adults must establish safe and responsible online behaviours and must be familiar with the Staff ICT Acceptable Use Policy and, in relation to e-safety for pupils, paragraph B11 of the Safeguarding Child Protection Policy. Adults should report to senior colleagues, any new and emerging technologies which may have a bearing on College practices. Local and national guidelines on acceptable user policies should be followed. Staff should also:
- 49.1 ensure that your own personal social networking sites are set as private and ensure that pupils are not approved contacts.
 - 49.2 never use or access social networking sites of pupils and do not use internet or web-based communication channels to send personal messages to pupils
 - 49.3 do not use your own equipment (e.g. mobile 'phones) to communicate with pupils - use equipment provided by the College and ensure that parents, guardians and carers have given permission
 - 49.4 only make contact with pupils for professional reasons
 - 49.5 recognise that text messaging/social media should only be used as part of an agreed protocol and only when other forms of communication are not possible
 - 49.6 avoid any discussions about the College or pupils, parents or employees in online areas that may subsequently or inadvertently become available to others.
- 50 **Personal details:** Adults should not give their personal contact details to pupils, including email addresses, home or mobile telephone numbers, unless the need to do so is agreed with the Headmaster and parents, guardians or carers.
- 51 **Communicating outside the agreed protocols:** Email or text communications between an adult and a pupil outside agreed protocols may lead to a report to external agencies in accordance with the College's Safeguarding and Child Protection Policy, disciplinary action and/or criminal investigations. This also includes communications through internet-based websites.

Code of conduct for photographs and videos

- 52 **Permission required:** You should only take photographs or video footage, of pupils in class, or at a College event or on a trip, for strictly educational and College purposes. You must not take images of children using personal mobile telephones or other photographic device; you should use equipment provided by the College for this purpose. Appropriate consents for taking and displaying photographs should be obtained from parents, guardians or carers, where appropriate.



- 53 **Guidance where permission obtained:** Where permission has been obtained, the following should be considered:
- 53.1 the purpose of the activity should be clear as should what will happen to the photographs or videos. You must be able to justify images in your possession
 - 53.2 all images should be made available in order to determine acceptability
 - 53.3 images should not be made during one-to-one situations
 - 53.4 ensure that pupils are appropriately dressed
 - 53.5 ensure that pupils understand why the images are being taken and have agreed to the activity
 - 53.6 only use equipment provided or authorised by the College
 - 53.7 if an image is to be displayed in a place to which the public have access it should not display pupil's names. Similarly where a pupil is named (in a College prospectus, for example) the name should not be accompanied by a photograph or video
 - 53.8 all images of children should be stored securely and only accessed by those authorised to do so
 - 53.9 images must not be taken secretly
- 54 **Appropriate material:** You must ensure children are not exposed to inappropriate or indecent images. Inappropriate material, such as pornography, should not be brought to work and you must not use College property or the College network to access such material. You should not allow unauthorised access to College equipment and should keep your computer passwords safe. If you discover material that is potentially illegal or inappropriate, you must isolate the equipment and contact the Designated Safeguarding Lead under the College's Safeguarding and Child Protection Policy immediately. Pupils must not be exposed to unsuitable material on the internet and Staff should ensure that any film or material shown is age appropriate.

Gifts and rewards

- 55 **Anti-bribery and corruption:** The giving of gifts or rewards to children is generally prohibited, unless part of a policy approved by the Headmaster of supporting positive behaviour or recognising particular achievements. Any gifts should be given openly and not based on favouritism.
- 56 **If a gift is received:** There are occasions where pupils or parents/guardians wish to pass small tokens of appreciation to adults (for example on special occasions or as a thank you) and this is acceptable. You should take care not to accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment. It is unacceptable to receive gifts on a regular basis or of any significant value. If you receive a gift from a pupil or parent you should:
- 56.1 declare the gift where there is a possibility it could be misconstrued, or in any event where the gift is of a value of more than £100. The Bursar may in his absolute discretion require you to decline the gift



- 56.2 decline outright gifts that could be perceived as a bribe or that have created an expectation of preferential treatment. Although it is accepted for parents, guardians or carers or children to make small gifts to show appreciation, you must not receive gifts on a regular basis or receive anything of significant value
- 57 **Giving gifts and rewards:** Where you are thinking of giving a gift or reward:
- 57.1 it should only be provided as part of an agreed reward system
- 57.2 in all cases except the above, the gift or reward should be of little monetary value and should be discussed and agreed with the Headmaster, the Headmaster and, where appropriate, the parent, guardian or carer
- 57.3 selection processes should be fair and where possible should be agreed by more than one member of Staff
- 57.4 gifts should be given openly and not based on favouritism
- 58 **Allocation of gifts and rewards:** Decisions regarding entitlement to benefits or privileges such as admission to College trips, activities or classroom tasks must avoid perceptions of bias, grooming or favouritism. The selection process must be based on transparent criteria.

Childcare Disqualification

- 59 **Offence:** The Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009 state that it is an offence for the College to employ anyone to provide childcare in connection with our early years provision (**EYP**) or later years provision (**LYP**) who is disqualified, or for a disqualified person to be directly involved in the management of EYP or LYP (a **Relevant Role**).
- 60 **EYP** includes usual College activities and any other supervised activity for a "young child" which takes place on the College premises during or outside of the normal College day (a child is a "young child" during the period between birth and up to 1 September following their fifth birthday).
- 61 **LYP** includes provision for children not in EYP and under the age of 8 which takes place on College premises outside of the normal College day, including, for example breakfast clubs, after College clubs and holiday clubs. It does not include extended College hours for co-curricular activities such as sports activities.
- 62 **"Childcare"** means any form of care for a child, which includes education and any other supervised activity for a "young child". "Childcare" in LYP does not include education during College hours but does cover before and after College clubs.
- 63 **Grounds for disqualification:** The grounds on which a person will be disqualified from working in connection with EYP or LYP are set out in the College's Safer Recruitment and Selection Policy. Staff are required to familiarise themselves with this document.
- 64 **Duty of disclosure:** Staff in a Relevant Role are under an on-going duty to immediately notify the College if their circumstances so that they meet any of the



criteria for disqualification at any point during their employment with the College. Any failure to disclose relevant information will be treated as a serious disciplinary matter.

- 65 **Department for Education (DfE):** Where the College receives disqualification information about a member of staff working in a Relevant Role and is satisfied that the member of staff may be disqualified as a consequence, the College is under a duty to report the circumstances of the disqualification to the DfE.
- 66 **Waiver:** A member of staff who discloses information which appears to disqualify them from working in a Relevant Role may apply to the DfE for a waiver of the disqualification.

Consequences of breaching this policy

- 67 **The College's position:** It is a contractual requirement as well as in your interests to follow this Code so as to maintain appropriate standards of behaviour and your own professional reputation. A breach of this Code may be treated as misconduct and will render you liable to disciplinary action including in serious cases, dismissal.
- 68 **Termination of employment:** If the College ceases to use the services of a member of Staff because they are unsuitable to work with children, a settlement agreement (formerly known as a compromise agreement) will not be used and a referral to the Disclosure and Barring Service will be made as soon as possible if the criteria for a referral are met. Any such incidents will be followed by a review of the safeguarding procedures within the College, with a report being presented to the Governors without delay.
- 69 **Resignation:** If a member of Staff tenders his or her resignation, or ceases to provide his or her services to the College at a time when child protection concerns exist in relation to that person, those concerns will still be investigated in full by the College and a referral will be made to the Disclosure and Barring Service as soon as possible if the criteria for a referral are met.
- 70 **Teaching Regulation Agency (TRA):** Where a teacher has been dismissed, or would have been dismissed had he / she not resigned, separate consideration will be given as to whether a referral to the Teaching Regulation Agency (TRA) should be made.

APPENDIX A

LOW LEVEL SAFEGUARDING CONCERNS

*(extract from the Safeguarding and Child Protection Policy)***C10 Safeguarding concerns and allegations involving St Edmund's College and St Edmund's Prep School Staff, including volunteers, supply staff and contractors.**

It is essential in all cases of suspected abuse by a member of staff that action is taken quickly and professionally in the interest and welfare of the child. All allegations will be recorded and dealt with promptly and appropriately. Allegations will be addressed in accordance with part 4 of Keeping Children Safe in Education. This part of the guidance has two sections covering the two levels of allegations/concerns:

1. Allegations that may meet the harms threshold
2. Allegations/concerns that do not meet the harms threshold – referred to as 'low level concerns'

It relates to members of staff who are currently working in the College or Prep (including volunteers, supply staff and contractors) regardless of whether or not the alleged abuse took place at the College or Prep. If the allegation is regarding supply staff, the School will take the lead but keep the supply agency fully informed and involved. This is also the case for contractors where we will keep their employer informed. This enables any potential patterns of inappropriate behaviour to be identified.

If staff members have concerns about another staff member then this should be referred to the Headmaster. Where there are concerns about the Headmaster, this should be referred to the Chair of Governors. Where an allegation is against the Headmaster, the Headmaster must not be informed of the allegation prior to contact with the Chair or LADO. Where there are concerns about the Chair of Governors, this should be referred to the police or directly to the LADO. If there is a conflict of interest when reporting the matter to the Headmaster, this should be reported directly to the LADO. Full details can be found in Part 4 of Keeping Children Safe in Education.

Allegations against a teacher who is no longer teaching should be referred to the police.

Allegations that may meet the harms threshold:

This procedure will be used in respect of all cases in which it is alleged that a teacher or member of staff (including volunteers, supply staff and contractors) in the College or Prep that provides education for children under 18 years of age has:

- behaved in a way that has harmed a child, or may have harmed a child and/or
- possibly committed a criminal offence against or related to a child, and/or
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children, and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children,

The last bullet point above includes behaviour that may have happened outside of school, that might make an individual unsuitable to work with children, this is known as transferable risk.

Actions to be taken:

1. **The Headmaster will immediately discuss the allegation with the LADO** to consider the nature, content and context of the allegation and agree a course of action. The LADO has overall responsibility for oversight of the procedures for dealing with allegations; for resolving any inter-agency issues; and for liaison with the Hertfordshire Safeguarding Children Partnership (HSCP) on the subject.



2. **A case manager will be appointed**, in agreement with the LADO. If the LADO is unavailable, he will decide whether it is necessary to contact the police immediately. The LADO will provide advice and guidance to the case manager, in addition to liaising with the police and other agencies, and monitoring the progress of cases.
3. **The possible risk of harm to children will be evaluated**, medical attention will be sought where necessary and appropriate support as required.
4. **Decision taken about the seriousness of the allegation.**
Discussion of possible outcomes:
 - a. No Further Action:
 - i. Decision and justification to be recorded by the case manager and LADO
 - ii. Agreement on what information should be put in writing to the individual concerned and by whom.
 - iii. Decision as to action in respect of whoever made the initial allegation.
 - b. Police Involvement: In cases where a crime may have been committed. The School will co-operate with any police investigation, as necessary. The police will inform The School and LADO immediately when a criminal investigation is complete.
 - c. Children's Social Care Involvement: When a child is in need of protection or services.
 - d. Strategy Discussion in accordance with Working Together to Safeguard Children: This will be necessary in cases where there is cause to suspect that a child is suffering or likely to suffer significant harm.
 - e. Further Enquiries: In this case the LADO will decide with the case manager how and by whom the investigation will take place, either by a senior member of staff or in complex cases by an external investigator.
5. Depending upon the outcomes of investigations and actions above, **the LADO will discuss the next steps with the case manager**. Information will be shared with relevant agencies, as appropriate and in consultation with the LADO.
6. **The Headmaster and case manager will decide whether the individual is to be suspended**, taking into consideration the guidance in paragraphs 359-376 of the Government Guidance *Keeping Children Safe in Education*.
7. **The case manager will inform the individual of concerns or allegations as soon as possible**, taking into account any restrictions imposed, as above. An explanation will be given of the likely course of action. The individual will be advised to contact their trade union and a named representative will be appointed to keep the person who is the subject of the allegation informed of the progress of the case. Consideration will be given as any other appropriate support which may be necessary.
8. **If the individual is suspended**, they will be kept informed of both their case and current work-related issues.
9. **As soon as possible after appropriate agencies have been consulted, the parents or carers of any child involved will be informed about the allegation**. They will be kept informed of the progress of the case and told the outcome, where there is not a criminal prosecution. They will be told, in confidence, the outcome, but not the deliberations, of a disciplinary hearing.
10. **Parents and carers will also be made aware of the prohibition on reporting or publishing allegations** about teachers in section 141F of the Education Act 2002 (see below). If parents or carers wish to apply to the court to have reporting restrictions removed, they will be told to seek legal advice.
11. **The School will maintain confidentiality**, with regard to paragraphs 390-399 of the Government Guidance *Keeping Children Safe in Education*. In particular, the case manager should take advice from the LADO, police and children's social care services to agree the following:



- a. who needs to know and, importantly, exactly what information can be shared;
 - b. how to manage speculation, leaks and gossip;
 - c. what, if any information can be reasonably given to the wider community to reduce speculation; and
 - d. how to manage press interest if and when it should arise.
12. **Cases will be resolved as quickly as possible and in line with school's disciplinary policy**
St Edmund's College & Prep disciplinary policy is available upon request from the HR department.
13. **Records will be kept:** A clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, will kept on the confidential personnel file of the accused, and a copy provided to the person concerned, where agreed by children's social care or the police and a declaration on whether the information will be referred to in any future reference. In the case of malicious allegations, such records will be removed from personnel records.

Conclusion

Every effort will be made to reach a conclusion, including any in which the person concerned refuses to co-operate.

Where it is decided on the conclusion of a case that a person who has been suspended can return to work, the case manager will consider how best to facilitate that. Help and support to return to work will be offered, as this will have been a stressful experience. Depending on the individual's circumstances, a phased return and/or the provision of a mentor to provide assistance and support in the short term may be appropriate. The case manager should also consider how the person's contact with the child or children who made the allegation can best be managed if they are still a student at the College or Prep.

A referral to the DBS *must* be made in the case of anyone (whether employed, contracted, a volunteer or student) whose services are no longer used for regulated activity and the DBS referral criteria are met, that is they have caused harm or posed a risk of harm to a child

or if there is reason to believe the member of staff has committed one of a number of listed offences, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left. The legal duty to refer applies equally in circumstances where an individual is deployed to another area of work that is not regulated activity, or they are suspended. Referrals should be made as soon as possible after the resignation, removal or redeployment of the individual.

The following definitions will be used when determining the outcome of allegation investigations:

- **Substantiated:** there is sufficient evidence to prove the allegation;
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;
- **False:** there is sufficient evidence to disprove the allegation.
- **Unsubstantiated:** there is insufficient evidence to either to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

Malicious Allegation

1. **The LADO will refer the matter to Children's social care services** to determine whether the child is in need of any services.
2. **The Headmaster will consider whether any disciplinary action is appropriate** against the student or whether the police should be asked to consider if action might be appropriate against the person responsible.

Unsubstantiated Allegation

1. **The LADO will refer the matter to Children's social care services** to determine whether the child is in need of any services.

Substantiated Allegation

1. **If the person is dismissed or the School ceases to use the person's services**, or the person resigns or otherwise ceases to provide his or her services, the LADO will discuss with the Headmaster or case manager and the HR Director whether the School will decide to make a referral to the DBS for consideration of whether inclusion on the barred lists is required; and in the case of a member of teaching staff whether to refer the matter to the Teaching Regulation Agency (TRA) to consider prohibiting the individual from teaching. Where the LADO advises referral to DBS, it constitutes an offence if the School does not do so.
2. **A settlement/compromise agreement will not be used** in cases where the person resigns or services cease to be used and the criteria for referral to DBS are met. Nor will they be used in cases of no co-operation or when the person resigns before their notice period expires.
3. **The LADO will review the circumstances of the case with the case manager** to determine whether there are any improvements to be made to the school's procedures or practice to help prevent similar events in the future. This should include issues arising from the decision to



suspend the member of staff, the duration of the suspension and whether or not suspension was justified.

Lessons should also be learnt from the use of suspension when the individual is subsequently reinstated. The LADO and case manager should consider how future investigations of a similar nature could be carried out without suspending the individual.

Non recent allegations

Where an adult makes an allegation to a school or college that they were abused as a child, the individual should be advised to report the allegation to the police. Non recent allegations made by a child, should be reported to the LADO in line with the local authority's procedures for dealing with non-recent allegations. The LADO will coordinate with children social care and the police. Abuse can be reported no matter how long ago it happened.

Concerns/allegations that do not meet the harm threshold (Low Level Concerns):

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out above. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

- Is inconsistent with the staff code of conduct, including appropriate conduct outside of work;
- Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO
- Examples of such behaviour could include, but are not limited to:
 - Being over friendly with children;
 - Having favourites;
 - Taking photographs of children on their mobile phone;
 - Engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
 - Using inappropriate sexualized, intimidating or offensive language
 - Humiliating pupils

Upon receiving an allegation that about a member of staff that the Headmaster deems to be low-level, he may delegate the investigation to the DSL or DDSL as appropriate.

If the School is in any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact meets the harm threshold, the School will consult with the LADO.

Actions to be taken:

All low level concerns should be recorded in writing. The record should include:

- Details of the concern,
- Context in which the concern arose
- Action taken

Name of individual sharing their concerns, however, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible

These records will be reviewed periodically so that potential patterns of concerning, problematic or inappropriate behaviour can be identified and responded to. Where a pattern of behaviour is identified, the school should decide on a course of action. This might be internal disciplinary procedures, or referral to the LADO. Consideration should also be given to whether there are wider cultural issues within the school that enabled the behaviour to occur and where appropriate, policies could be revised or extra training delivered to minimise the risk of it happening again.



If the concern has been raised via a third party, the designated safeguarding lead should collect as much evidence as possible by:

- Speaking directly to the person who raised the concern, unless it has been raised anonymously;
- to the individual involved and any witness

The information collected will help to categorise the type of behaviour and determine what further action may need to be taken. All of this information need to be recorded, along with the rationale for their decisions and action taken.

Low level concerns should not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference. However, where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and found to be substantiated, it should be referred to in a reference.

Organisations or Individuals using school premises:

The College may receive an allegation relating to an incident that happened when an individual or organisation was using their school premises for the purposes of running activities for children. As with any safeguarding allegation, the College will follow appropriate safeguarding policies and procedures, including informing the LADO.

Owner of policy:	HR Director		
Reviewed by:	HR Director	and SLT	
Frequency of review:	Annually		
Policy last reviewed:	Michaelmas	2023	
Next review date:	Michaelmas	2024	
Sub-Committee reviewed at:	Finance Sub-Committee		