



Halliford
School
SHEPPERTON

Safe Students Safe Staff Policy

November 2021

(Guidance for the Protection of Staff, including volunteer helpers (e.g. parents))

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Mission Statement

Halliford is a school based on strong family values where we know and respect every student as an individual. We encourage and support Hallifordians to flourish and become the best version of themselves that they can possibly be.

We aim for excellence by being academically ambitious but at the same time academically sensitive.

We inspire Hallifordians within a community that is founded on high quality teaching and learning, outstanding pastoral care and first-class sporting, cultural and co-curricular opportunities.

Introduction

A Safe Environment, Professional Proprieties, Wise Precautions

Halliford School seeks to provide an environment in which all students feel secure, and in which they feel supported in their endeavours to achieve their best in all spheres of school life. All staff, whether paid or voluntary, have a duty of care to keep students and children safe, and to safeguard and promote their well-being. This duty is to a large extent exercised through the development of caring and professional relationships between staff and students, and by staff behaviour which demonstrates integrity, maturity and good judgement.

It is recognised, however, that achieving such an aim is not always straightforward: so much relies on staff and student interaction, where tensions arise and misunderstandings can occur. It is here that staff 'behaviours' can give rise to allegations being made against them. Allegations may be misplaced, malicious or genuine: they often arise from differing perceptions of the same event. But when they occur, they are inevitably distressing and difficult for all involved, and staff should be aware that unwary or unprofessional actions can have potentially damaging effects on careers. We should all be alert to situations where we (ourselves) and other staff (including visiting staff) are vulnerable to allegations of abuse.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that this policy cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this policy, or which directly contravene the guidance given. It is in these situations that colleagues must always advise a senior member of staff of the justification for any action taken or proposed.

This **Safe Students, Safe Staff** Policy is therefore designed to encourage and sustain an atmosphere of trust in which all colleagues can conduct their professional lives with confidence.

Staff should feel able to discuss with senior members of staff any difficulties or problems that they experience in their relationships with students, so that appropriate advice can be provided, or action taken.

Purpose

All members of staff who come into contact with children and young people have a duty to safeguard and promote their welfare. Under guidance published in Keeping Children Safe in Education (July 2021) (KCSIE), the School must publish a Code of Conduct for all staff. At Halliford School this is referred to as the Safe Students, Safe Staff Policy.

The purpose of the Policy is to:

- Confirm and reinforce the professional responsibilities of all staff.
- Clarify the legal position in relation to sensitive aspects of staff, student and parent relationships and communications including the use of social media.
- Set out the expectation of standards and behaviour to be maintained within the School.
- To help adults establish safe practices and reduce the risk of false accusations or improper conduct.
- Advise and, thereby, protect staff in their work.

The policy applies to all staff working at the School whether paid or unpaid, whatever their position, role or responsibilities. Staff includes employees, governors, contractors, work experience/placement students, volunteers, casual workers and agency workers.

It is the contractual duty of every member of staff to observe the rules, obligations and guidance contained in this policy.

Teachers' Standards

The Teachers' Standards (May 2012) include a section on Personal and Professional Conduct:

- A teacher is expected to demonstrate consistently high standards of personal and professional conduct. The following standards define behaviour and attitudes which set the required standard for conduct throughout a teacher's career:
 - Teachers uphold the public trust in the profession and maintain high standards of ethics and behaviour, within and outside the school, by:
 - treating students with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's position;
 - having regard for the need to safeguard students' well-being, in accordance with statutory provisions;
 - showing tolerance of and respect for the rights of others;
 - not undermining the fundamental British values, which are defined as comprising: democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs; and
 - ensuring that personal beliefs are not expressed in ways which exploit students' vulnerability or might lead them to break the law.

Staff must maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. High standards of personal conduct are required to maintain the confidence and respect of peers, students, parents and the public in general; an individual's behaviour either in school or outside should not compromise their position at Halliford School. This could include behaviour that attracts the attention of the media or public authorities such as misuse of drugs or alcohol or acts of violence and behaviour which indicates an unsuitability to work with children or young people.

Principles for all staff

All staff should put the well-being, development and progress of all students first by:

- taking all reasonable steps to ensure the safety and well-being of students under their supervision;
- using professional expertise and judgement for the best interest of students in their care;
- taking a zero-tolerance approach to abuse, that should never be passed off as "banter", "just having a laugh", "part of growing up" or "boys being boys" as this can lead to a culture of unacceptable behaviours and an unsafe environment for children.
- demonstrating self-awareness and taking responsibility for their own actions and for providing help and support to students;
- understanding that peer on peer abuse can happen at any school and can happen both online and face to face
- raising concerns about the practices of teachers or other professionals where these may have a negative impact on students' learning or progress, or may put students at risk;
- being familiar with the School's Safeguarding and Child Protection Policy and Procedures;
- reading and understanding Part One and Annex A of KCSIE (September 2021);
- knowing the role, identity and contact details of the Designated Safeguarding Lead (DSL) and Deputy Designated Safeguarding Leads (DDSLs);
- knowing the role, identity and contact details of the Nominated Safeguarding Governor; and
- demonstrating respect for diversity and taking steps to promote equality.
- Understanding the increased need (KCSIE 2021) for ensuring the online safety of students

Staff Awareness and Responsibilities

Staff will:

Always refer any safeguarding or child protection concerns to the DSL or if necessary where the child is at immediate risk to the police or Children's Social Care. Wherever possible, there should be a conversation with the designated safeguarding lead (or deputy), who will help staff decide what to do next.

Provide a safe environment in which children can learn.

Understand the importance of challenging inappropriate behaviours between peers. If they do not, this can create an unsafe environment and lead to a culture that normalises abuse.

Staff are aware of:

The need to respond appropriately to any significant changes in a child's general well-being – this includes monitoring attendance patterns and supporting systems which place the child at the heart of our practice – including suggestions that a child has run away from home. Are alert to patterns which suggest a child at risk of Child Sexual or Criminal exploitation, grooming, peer on peer abuse, radicalisation or gang-related recruitment – it will also relate to online activity.

The need to be open, accepting and ready to listen to a child. The need to take the child's worries seriously and not to interrupt if he/she is recalling a significant event; the need to avoid asking leading questions.

The need to reassure victims that they will be taken seriously, and that they will be supported and kept safe. They should not be given the impression that they are creating a problem or made to feel ashamed.

The requirement to make a handwritten note of the discussion immediately to give to the Designated Safeguarding Lead (DSL), noting time, date, place, people present and what was said. These notes may be required in a court proceeding. These concerns should be recorded on the Cause for Concern form, including body maps – See Appendix H.

That **anyone** can make a referral. In both cases (child in immediate danger or risk of harm), staff making a referral should inform the DSL as soon as possible. In addition, that any member of staff has a duty to make a referral to external agencies if they consider that the School response has been inadequate (and to persist with such until they are satisfied with the response). All staff should be aware of the process for making referrals to children's social care (this will normally be to the DSL, DDSL, or to Surrey MASH) and for statutory assessments under the Children Act 1989, especially section 17 (children in need) and section 47 (a child suffering, or likely to suffer, significant harm) that may follow a referral, along with the role they might be expected to play in such assessments.

The guidance for staff contained in the Safe Students Safe Staff Policy, to ensure that their behaviour and actions do not place students at risk of harm or themselves at risk of allegations of harm to a student (for example one to one tuition, conveying a student by car, engaging in inappropriate electronic communication with a student).

That any child may benefit from early help, but all schools should be particularly alert to the potential need for early help as set out in the framework previously.

Staff may be required to support other agencies and professionals in an early help assessment, in some cases acting as the lead professional. Any such cases should be kept under constant review and consideration given to a referral to children's social care for assessment for statutory services if the child's situation does not appear to be improving or is getting worse.

That safeguarding issues can manifest themselves via peer on peer abuse. This is most likely to include, but may not be limited to, bullying (including cyberbullying), sexual violence, sexual harassment, upskirting and sharing of nudes and semi-nudes. All staff should be clear as to the school policy and procedures with regards to peer on peer abuse. Please refer to Appendix G of the School's Safeguarding and Child Protection policy.

That a child in need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare. Children in need may be assessed under section 17 of the Children Act 1989.

Be aware that it is mandatory to report any concern a member of staff has relating to Female Genital Mutilation (FGM) – this must be referred to the Police without delay.

That the School does not tolerate hazing under the guise of 'banter' in any way. We recognise that abuse is abuse and should never be tolerated or passed off as 'banter', 'boys being boys' or 'just having a laugh' or 'part of growing up'. 'Banter' in any form will not be tolerated at Halliford, 'as this can lead to a culture of unacceptable behaviours and an unsafe environment for pupils'.

Behaviour giving particular cause for concern

You should take particular care when dealing with a student who:

- appears to be emotionally distressed, or generally vulnerable and/or who is seeking expressions of affection;
- appears to hold a grudge against you;
- tries to engage with you online in an inappropriate manner, and/or not through approved school software
- 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; or
- may have reason to make up an allegation to cover the fact that he or she has not worked hard enough for public examinations.

Allegations against a member of staff

Allegations

Any allegation of abuse made against a member of staff, a volunteer or the DSL, must be reported immediately to the **Headmaster and not the DSL**.

In cases where the Headmaster is absent or is the subject of an allegation, it must be reported to the Chairman of Governors who will refer to the LADO. In the case of a member of staff, the Headmaster will be fully informed, unless the allegation is about them. The School will follow the procedures set out in part four of Keeping Children Safe in Education. The School will not seek to interview the Student(s) or member(s) of staff involved until advice has been sought. Doing so may compromise any police interviews that may be necessary.

Should the Chairman of Governors be subject to an allegation, this matter would be referred directly to the LADO.

A staff member should report a concern/allegation directly to the local authority designated officer if they believe there is a conflict of interest in reporting to the Headmaster.

The School will ensure that any disciplinary proceedings against staff relating to child protection matters are concluded in full even when the member of staff is no longer employed at the School (for example, if they have resigned after the alleged event or moved to another School) and that notification of any concerns are made to the relevant authorities and professional bodies and included in references where applicable.

Staff who are the subject of an allegation have the right to have their case dealt with fairly, quickly, and consistently and to be kept informed of its progress. Suspension is not mandatory, nor is it automatic but, in some cases, staff may be suspended where this is deemed to be the best way to ensure that children are protected.

Communications with the School community about safeguarding related allegations will only be made by the Headmaster following consultation with Surrey Social Services Designated Officer, any investigating authorities and the Board of Governors.

Levels of Allegation

Allegations against staff can be determined as Level 1 or 2 allegations, whereby the harms threshold has been met (Level 2) or the allegation has not (Low level concern 1).

An adult will have met the harms threshold if they have:

- 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 may pose a risk of harm to children; and/or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

As part of their whole school approach to safeguarding, Halliford ensures that it promotes an open and transparent culture in which all concerns about all adults working in or on behalf of the school (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately. Creating a culture in which all concerns about adults (including allegations that do not meet the harms threshold) are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. This encourages an open and transparent culture; enabling Halliford to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that adults working in or on behalf of the School are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the School.

What is a low-level concern?

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 may have acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, and
- 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 sexualised, intimidating or offensive language.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse. It is crucial that any such concerns, including those which do not meet the allegation/harm threshold are shared responsibly and with the **Headmaster**.

Further details are contained within the Staff Low-Level Concerns Policy which should be read in conjunction with this policy.

Procedure to be followed in these cases

Some of these behaviours may be indications that a child has been, or is currently suffering abuse and should therefore be reported to the DSL under the School's Safeguarding and Child Protection Procedures. If the allegation is against a member of staff, then follow the guidance set out above

General guidance

You should be aware of the general guidance that will apply in all cases. In particular you:

- need to exercise professional judgement 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 a senior colleague. A written record should be kept that includes justification for any action taken;
- must be familiar with procedures and reporting channels for handling allegations against staff;
- must be aware of the School's Safeguarding and Child Protection Procedures; and
- must seek guidance from a senior colleague if you are in any doubt about appropriate conduct.

Record keeping

Comprehensive records are essential. Any incident involving children that could give cause for concern, whether contemplated in these guidelines or not should be recorded with justifications for any action taken. In addition, any incident should be promptly reported to a senior colleague.

Power and Positions of Trust

A relationship between a member of staff and a student is not a relationship between equals, and the unequal balance of power should never be used for personal advantage or gratification.

Staff should not use their position to intimidate, bully, humiliate, threaten, coerce or undermine students.

Staff should not use their status and standing to form or promote relationships which are of a sexual nature, or which may become so. Adults working in educational settings, whether in or out of School, are in a position of trust.

Staff should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. If staff are in any doubt about how a situation might be interpreted, they should record the incident and pass the information to a senior member of staff.

Staff should be aware that students are sometimes attracted to a member of staff of the same or opposite sex. A member of staff who becomes aware that a student may have a crush on him or her, or a colleague, should discuss this with a senior member of staff so that the appropriate action can be taken. In this way, steps can be taken to avoid hurt and mistrust for all concerned.

Duty of care

All staff have a duty to keep young people safe and to protect them from physical and emotional harm both face to face and online.

This duty is in part exercised through the development of respectful, caring and professional relationships between staff and students and behaviour by staff that demonstrates integrity, maturity and good judgement.

The School has a duty of care towards its employees under the Health and Safety at Work Act (1974), which requires them to provide a safe working environment for staff and guidance about safe working practices. The Act also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings. In this respect, the duty of care towards both staff and children can be demonstrated through the use of these guidelines.

Exercise of Professional Judgement

This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight, however, behaviour that is illegal, inappropriate or inadvisable. There will be occasions and circumstances in which staff have to make decisions or take action in the best interests of the child or young person which could contravene this guidance or where no guidance exists. Staff are expected to make judgements about their behaviour in order to secure the best interest and welfare of the students in their charge, and in doing so, will be seen to be acting reasonably.

If staff are involved in cases where no guidance exists, then they should discuss the circumstances with the DSL/Headmaster. A written record should be kept by the member of staff that includes justification for any action taken.

Behaviour Outside School

All adults working with our students have a responsibility to maintain public confidence in their ability to safeguard their welfare and best interests. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of colleagues, students, parents and members of the public. There may be times, for example, when our behaviour or actions in our personal life comes under scrutiny from local communities, the media or public authorities. This could be because this behaviour is considered to compromise your position at School or indicate an unsuitability to work with students. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour. The behaviour of partners or members of our family may in some circumstances raise similar concerns.

Language

Staff should use appropriate language at all times. Staff should:

- 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, emails, text messages, match reports);
- avoid any aggressive or threatening words;
- avoid words or actions that are over-familiar;
- not swear, blaspheme or use any form of offensive language in front of students;
- avoid the use of sarcasm or derogatory words when punishing or disciplining students;
- avoid making unprofessional personal comments about anyone;
- avoid discussing and commenting on other members of staff except when relating to School business;
- avoid language that promotes gossip and rumour; and
- be aware that some parts of the curriculum may raise sexually explicit matters and handle these appropriately.

Care should be taken in subjects where classroom dynamics might be different e.g. sport, drama, music or art. Staff should have clear lesson plans and should take care to avoid over-stepping personal and professional boundaries.

Staff should use discretion in conversations that cover sensitive matters, and avoid making remarks of a personal nature. Terms of endearment ('sweetie', 'love', etc) should also be avoided since these, too, can be easily misconstrued.

Students undoubtedly derive pleasure and benefit from 'other' staff endorsing their efforts and achievements. Disciplinary matters, however, should be left in the hands of the member of staff dealing with the issue (House Tutor / Housemaster/Housemistress/Deputy Head). The temptation to add gratuitous remarks should be resisted.

Dress and Appearance

A person's dress and appearance are matters of personal choice and self-expression. Staff should ensure that they are dressed appropriately for the tasks that they are involved with. Staff at Halliford School are expected to conform to the normal requirements of business dress during the working week. Staff should take care that their choice of clothing is not viewed as offensive, revealing, sexually provocative or likely to cause embarrassment or give rise to misunderstanding. Political or contentious slogans or badges are not permitted.

Sexual Contact with Young People

It is a criminal offence and an abuse of a position of trust to have any sexual relationship with any student at the School under the age of 18. Therefore, staff must not have any type of sexual relationship with a student or students. Whilst it is not a criminal offence, it is a breach of this code and considered to be gross misconduct to have a sexual relationship with any student of the School, even if the student is aged 18 or over. Any sexual contact with a student within two years of the student leaving the School would also be considered inappropriate and a breach of this code.

In addition, staff must not:

- have sexually suggestive or provocative communications with a student;
- make sexual remarks about a student;
- generate any photographic imagery, relating to students that could be considered sexual in nature
- discuss their own sexual relationships in the presence of students; or

- encourage a relationship to develop in a way which might lead to a sexual relationship or be considered inappropriate.

Any of the above behaviours will be considered a serious breach of trust and will normally lead to disciplinary action and also, potentially to criminal prosecution.

It is a criminal offence to form relationships with children who are students or students at another school and under the age of 16. It may also be criminal offence if a student at another school is under the age of 18. Any such relationship would be regarded as gross misconduct because such behaviour would bring into question the staff member's professional conduct and would raise concerns that the member of staff could not maintain professional boundaries with students at Halliford School. Ultimately it would bring the School into disrepute. Therefore, whilst not necessarily a criminal offence, the School considers it entirely unsuitable for staff to develop inappropriate relationships with a student at any school, irrespective of their age.

A student might develop an infatuation with a member of staff. Such a situation should be handled delicately to maintain the dignity of all concerned. In particular, staff should be aware that such scenarios carry a high risk of words or actions being misinterpreted and for allegations to be made against staff. If a member of staff becomes aware that a student is infatuated with themselves or a colleague, then they should discuss the matter with the DSL as soon as possible.

Confidentiality

The storing and processing of personal information is governed by the General Data Protection Regulations 2017 (GDPR) and Data Protection Act 2018.

Members of staff may have access to personal details about students in order to undertake their everyday responsibilities. In some circumstances staff may be given highly sensitive or private information. Such information should be treated in a discreet and confidential manner and must not be used to intimidate, humiliate or embarrass the student. Staff must not use such information for their own or others' advantage.

Confidential information should never be used casually in conversation or shared with any person other than on a need to know basis. In circumstances where the child's identity does not need to be disclosed, the information should be used anonymously.

Particular care must be taken when discussing students around the School and in the Common Room. The storing and processing of personal information is governed by the Data Protection Act 1998. The Data Protection Policy is available on the Staff Drive. It is important to note that data protection should not hinder the sharing of information with other agencies when there is a concern about a child's welfare.

NB This guidance does not apply to circumstances where abuse is alleged or suspected: in such instances, staff have a legal duty to pass such information on to the DSL/DDSLs as soon as possible (see Safeguarding and Child Protection Policy). The Data Protection Act 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share such information without consent, if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent or if to gain consent would place a child at risk.

Social Contact

Students

Effective communication lies at the heart of teaching. However, staff should not seek to establish social contact with students for the purpose of securing a personal friendship. Staff should not share any personal information with a student. They should not request or respond to any personal information from a student beyond that which might be appropriate as part of their professional role. All communications should be transparent and open to scrutiny so that they cannot be misconstrued as grooming.

Staff must not:

- share any personal details (home/mobile phone number or personal email) with any student;
- connect with students on social media sites unless the need to do so is agreed with the DSL;
- send to students text messages, personal emails or make contact through blogs or websites;
- make arrangements to meet students, individually or in groups, outside of school other than on trips/activities authorised by the Headmaster/Senior Deputy Head;
- contact students at home unless absolutely necessary. In such circumstances the School email must be used and communication should be restricted to the hours 07:30 to 19:30;
- invite students (groups or individuals) to any staff home (e.g. tutoring) unless it has been approved in advance by the Headmaster/Senior Deputy Head; or
- engage in secretive social contact with students or their parents, guardian or carers.

Staff may email students on the School's email network or using MS Teams. They may send students cards or messages on the School's email system which express congratulations. Tutors, Matrons and Housestaff may well send birthday/Christmas cards to students. However, in these cases it is important that the use of such forms of personal communication is routine, appropriate, consistent and that it maintains professional standards.

Parents/Guardians or Carers

Members of staff who are friends with parents, guardians or carers of students, may have contact with those students outside school. However, if in communication with students in this context, members of staff should still respect the above advice. Staff should ensure that they maintain a professional image and avoid discussing School business or gossip. Staff need to be careful when using Social Media and deciding whether to add parents to their social networks. Staff should be especially careful that any publicly available profile of themselves befits their role in School. Avoid using social media in a way which could compromise suitability to work in a position of trust with children.

It is recognised that staff can support a parent who may be in particular difficulty. Care needs to be exercised in those situations where the parent comes to depend upon the staff member for support outside their professional role. In such situations, staff members should consult a senior member of staff for advice.

Use of Staff Homes

Unless there is good reason and permission has been sought from both parents and a senior member of staff, no student should be invited into the home of a member of staff. Staff should be vigilant in maintaining their privacy. Under no circumstances should students assist with chores or tasks in a member of staff's home without the permission of their parents.

In some circumstances home visits will be necessary (e.g. supporting academic needs of a student who is ill or a serious pastoral issue). In these circumstances staff should discuss the purpose of any visit with the DSL.

General guidelines for such visits are such follows:

- try to have a colleague accompany you;
- do not visit unannounced;
- keep a record of times and dates of visits (including arrival and departure time);
- have a mobile phone and emergency contact; and
- discuss any concerns with the DSL.

Educational visits (including overnight supervision)

During school activities that take place off the School site or on the School site but out of hours (including social events such as dinners), all staff remain in a position of trust. Therefore, they need to ensure that their behaviour cannot be interpreted as seeking to establish inappropriate relationships or friendship and they must maintain high standards of professional conduct and remember their position as a role model at all times.

When out of school activities include overnight stays, careful consideration of issues, including gender and age, needs to be given to sleeping arrangements. Staff should be accommodated in separate rooms and, where possible, use access to separate washing and toilet facilities.

A member of staff must not take students on trips to their own private accommodation.

When organising a trip, staff will need to consider safeguarding as a matter of priority. Any people accompanying an overnight trip with students aged 16 and over as a volunteer helper must have all safeguarding checks in place. In particular for overnight trips where external trainers are being used, staff should check with the organisation delivering the programme that their staff satisfy safeguarding criteria. This may not be possible when running overseas trips but all adults accompanying must be vigilant and ensure that adequate supervision is in place. Any safeguarding concerns should be raised with the DSL. Staff should respect the advice in this code when supervising overnight visits.

Educational visits must not take place unless they have been risk assessed and approved by the Assistant Head Co-curricular.

Physical contact (including restraint)

Staff should not touch students. However, there are occasions when it is appropriate for staff to have physical contact with students (e.g. music tuition, sport coaching, drama direction or consoling a child who has experienced bereavement).

When physical contact is made with students such contact should be in response to their needs at the time, of limited duration, and appropriate given their age, stage of development, gender and background.

It is not possible to be exact about the appropriateness of each occurrence of physical contact, since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child. In assessing whether physical contact with a student is appropriate staff should use their professional judgement at all times.

This means that School staff should:

- be aware that even well-meaning contact may be misconstrued by the student, an observer or anyone to whom this action is described;
- never touch a student in a way which may be considered indecent;
- never use an instrument or strike a piece of furniture to gain the attention of the class or student
- always be prepared to explain their actions and accept that all physical contact be open to scrutiny; and
- never indulge in horseplay, tickling or fun fights.

Extra caution must be taken where it is known that a child has suffered previous abuse or neglect. In the child's view physical contact may be associated with previous abuse

If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded as soon as possible and reported to the DSL.

The use of physical intervention should, whenever possible be avoided. All forms of corporal punishment are unlawful. However, by law, teaching staff and other staff who are authorised by the Headmaster to have control or charge of students, may use such force or physical contact as is reasonable in the circumstances to prevent a student from doing, or continuing to do any of the following:

- committing a criminal offence;
- injuring themselves or others;
- causing damage to property, including their own; or
- engaging in any behaviour prejudicial to good order and discipline at the School or among any of its students, whether that behaviour occurs in a classroom or elsewhere.

Application of code of restraint

This applies when a teacher, or other authorised person, is on School premises and when he or she is in control or charge of the student elsewhere, for example on a field trip or other authorised out of school activity. It only applies where no other form of control is available and where it is necessary to intervene. There are circumstances when it is appropriate for staff in schools to use reasonable force to safeguard children and young people. The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. 'Reasonable' in these circumstances means 'using no more force than is needed'. The use of force may involve either passive physical contact, such as standing between students or blocking a student's path, or active physical contact such as leading a student by the arm out of the classroom.

The decision on whether or not to use reasonable force to control or restrain a child is down to the professional judgement of the staff concerned and should always depend on individual circumstances. When using reasonable force in response to risks presented by incidents involving children with SEN or disabilities or with medical conditions, schools and colleges should in considering the risks carefully recognise the additional vulnerability of these groups. They should also consider their duties under the Equality Act 2010 in relation to making reasonable adjustments, non-discrimination and their Public Sector Equality Duty. By planning positive and proactive behaviour support, for instance through drawing up individual behaviour plans for more vulnerable children, and agreeing them with parents and carers, schools and colleges can reduce the occurrence of challenging behaviour and the need to use reasonable force.

Before intervening

Before intervening physically, you should, wherever practicable, tell the student to stop and what will happen if he or she does not. You should continue attempting to communicate with the student throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. You should always avoid touching or holding a student in a way that might be considered indecent. Nor should you act in a way that might reasonably be expected to cause injury.

Inform senior staff

You should inform the Headmaster or Deputy Head immediately following an incident where force has been used. This is to help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful in the event of a complaint. You should provide a written report as soon as possible afterwards.

Action taken in self-defence or in an emergency

The law allows anyone to defend themselves against an attack provided they do not use more force than is necessary. Similarly, where a student is at risk of immediate injury or on the point of inflicting injury on someone else, any member of staff (whether authorised or not) would be entitled to intervene.

Using reasonable force

There is no legal definition of "reasonable force". It will always depend on the circumstances. Note that:

- physical force could not be justified to prevent a student from committing a trivial misdemeanour;
- any force should always be the minimum needed to achieve the desired result; and
- whether it is reasonable to use force and the degree of force that could be reasonably employed might also depend on the age, understanding and sex of the student.

One-to-one meetings

Staff teaching one student or conducting a one-to-one meeting may be more vulnerable to allegations. As such they should be mindful of this fact and take the following into account:

- avoid meetings with students in remote, secluded areas of the School or at times when other staff are not in the locality;
- ensure there is visual access; use a room that has sufficient windows so the occupant can be seen, or keep the door open, blind open, or inform a colleague that the lesson/meeting is taking place;
- arrange the meeting during normal school hours when there are plenty of people about;
- do not continue the meeting longer than is necessary to achieve its purpose;
- avoid sitting or standing in close proximity to the student, except as necessary to check work;
- avoid using 'engaged' or equivalent signs on doors or windows;
- avoid idle discussion;
- avoid all unnecessary physical contact and apologise straight away if there is accidental physical contact;
- avoid any conduct that could be taken as sexual advance;
- report any situation where the student becomes distressed or angry; and
- report any incident that causes you concern to the DSL.

Behaviour management

All students have a right to be treated with respect and dignity. Corporal punishment is unlawful in all schools. Staff should not use any form of degrading treatment to punish a child. Whilst the use of humour can help diffuse a situation, the use of demeaning or insensitive comments towards students is not acceptable in any situation. Staff should be aware that the School's Anti-Bullying Policy applies to all members of the School community (students, parents and staff). If staff still have questions, they should address these to the Deputy Head.

Students' entitlement to privacy

Children are entitled to privacy when changing or showering. However there still needs to be an appropriate level of supervision to ensure safety. Staff should:

- avoid observing changing or showering;
- avoid physical contact or visually intrusive behaviour when children are undressing or undressed;
- announce when entering changing rooms and avoid remaining unless required;
- not shower or change in the same place as children; and
- not assist with any personal care task which the student can undertake themselves.

Where assistance is required (for example an injury and assisting with removing wet clothes) staff should explain to the child what is happening and ensure that another adult is in the vicinity and is aware of the task to be undertaken.

Transportation

When driving a minibus staff should not behave in an illegal or unsafe manner for example exceeding the speed limit, being under the influence of drugs or alcohol or using a mobile phone.

It may be necessary, on occasions, for staff to convey students in their private vehicles. There are measures which could minimise the risk of false or mistaken allegation in this situation.

- Refer the use of any private vehicle use to the Deputy Head.
- Students should sit in the rear of the car and not alongside the driver where possible.
- Ensure that another adult is in the car if at all possible. If another adult is not available, inform another member of staff about the purpose, destination and timings of the journey.
- If the same student is to be transported alone more than once, advice and permission should be sought from the Deputy Head.
- Always use a school minibus as an alternative if at all possible.
- If you have to use your own vehicle in an emergency, make sure you have appropriate vehicle insurance.

Gifts, Rewards and Favouritism

Staff should strive to ensure that they do not confer special attention or favour upon individual students. Social contact with students (whether at their or your initiative) should be conducted with discretion. Unless agreed with a senior member of staff, staff should not give out home or mobile phone numbers, or home and personal email addresses.

Gifts (both given to and received) from students or parents should not be of significant value, nor should they be accepted or given on a regular basis. Staff should be aware of the potential for the giving of a gift to be misconstrued as a gesture to either bribe or 'groom' a student.

Staff must be careful when giving gifts, prizes and rewards to students. Selection processes should be fair and the gift or reward of little monetary value. Decisions must avoid perceptions of favouritism or bias that could be misconstrued. Staff should keep a record of gifts, prizes and awards given to students.

Curriculum

Some areas of the curriculum can include or raise subject matter which is sexually explicit or of an otherwise sensitive nature (e.g. depression, self-harm, eating disorders, domestic violence, bullying, etc.). Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified when planning lessons.

The curriculum will sometimes include or lead to unplanned discussions about subject matter of a sensitive nature. Responding to students' questions will require careful judgement and staff should take guidance from senior staff before delivering lessons with this potential.

Be aware that such discussions might affect particular students more than others (for example, if a student has suffered a related traumatic incident). Where a discussion has caused discomfort, report the discussion to the DSL as soon as possible.

Staff are reminded that care should be taken to ensure that all lessons are in line with the school's spiritual, moral, social and cultural (SMSC) policy which promotes fundamental British values. Staff should also comply at all times with the policy for relationships and sex education (RSE). However, parents do have the right to withdraw their children from all or part of any sex education provided by the School.

Whistleblowing

Staff and students should feel able to raise concerns about poor or unsafe practice and potential failures in the School's safeguarding practice. The Whistleblowing Policy (which is available on the staff drive and the School Website) is in place so that such concerns are raised with the School Management and, in certain circumstances, members of the Governing Body.

When a staff member feels unable to raise an issue with the School, and they feel it is necessary to seek advice outside the School, advice can be sought from Public Concern at Work on 020 7404 6609, or helpline@pcaw.co.uk.

If staff have concerns over how safeguarding or child protection issues are being handled, then they can talk to the NSPCC whistleblowing advice line: help@nspcc.org.uk 0800 028 0285

For both students and staff there will be immunity from retribution or disciplinary action for whistleblowing in good faith. Whistleblowing regarding the Headmaster should be made to the Chairman of Governors in the first instance.

Image Recording

Image-recording (photography, video, etc) should be undertaken in line with school policy (i.e. for justifiable curriculum, extra curriculum, publicity and celebration purposes) and should be carefully set up, organised and approved. Staff should be aware of the potential for these aspects to be misused for 'grooming' or pornographic purposes. One to one situations in such instances are best avoided.

Photographs, videos etc. taken of students during school activities **must** be stored on the school network or a school computer. It is **not** acceptable for staff to have any photographs of students on their home computers. If transferring data via memory stick or another form of portable storage media then please ensure this data is copied quickly i.e. within a few hours. If a member of staff intends to store on their home PC, photographs of students during school activities, they should notify the Headmaster in writing unless they intend to transfer them to the school network quickly and delete them from their home PC.

Appropriate consent for taking and displaying photographs should be obtained from parents where appropriate.

All digital cameras belonging to the School should be locked away at the end of each day. No cameras or mobile phones will be kept in or near any toilet facilities.

Where permission has been obtained, the following should be considered:

- The purpose of the activity should be made clear as should what will happen to the photographs or videos. You must be able to justify images in your possession.
- All images should be made available in order to determine acceptability.
- Images should not be made during one-to-one situations.
- Ensure that the student is appropriately dressed.
- Ensure that the student understands why the images are being taken and has agreed to the activity.
- Only use equipment provided or authorised by the School.
- If an image is to be displayed in a place to which the public have access it should not display the student's name. Similarly, where a student is named (in a school prospectus, for example) the name should not be accompanied by a photograph or video.
- Images must not be taken secretly.

Internet Use and appropriate material

Accessing child pornography or indecent images of children on the internet, and making, storing or sharing such material is illegal, and, if proven, will invariably lead to the individual being barred from working with children and young people.

Using School equipment to deliberately access inappropriate or indecent material, including adult pornography, constitutes gross misconduct and will be dealt with accordingly. Staff should ensure as much as reasonably possible that students are not exposed to any inappropriate images or web-links.

Staff must establish safe and responsible online behaviours. Staff should also:

- ensure that their own personal social networking sites are set as private and ensure that students are not approved contacts;
- never use or access social networking sites of students and do not use internet or web-based communication channels to send personal messages to students;
- only use School email to communicate with students; and
- only make contact with students for professional reasons.

Exposure to inappropriate images

Staff should take extreme care to ensure that students are not exposed, through any medium, to inappropriate or indecent images.

There are no circumstances that will justify adults: making, downloading, possessing or distributing indecent images or pseudo-images of children. Accessing these images, whether using the school's or personal equipment, on or off the premises, or making, storing or disseminating such material is illegal.

If indecent images of children are discovered at the School or on the School's equipment an immediate referral must be made to the Headmaster who will then contact the Police if required. The images / equipment should be secured and there should be no attempt to view or delete the images as this could jeopardise necessary criminal action. If the images are of children known to the School, the Designated Safeguarding Lead will make a referral to children's social care.

Under no circumstances should any member of staff or volunteer use school equipment to access pornography. Personal equipment containing pornography or links should never be brought into or used on the school site. To do so would raise serious concerns about the suitability of the adult to continue working with children and young people.

Staff must keep their passwords confidential and not allow any unauthorised access to their equipment. In the event of any indecent images of children or unsuitable material being discovered on a device the equipment should not be tampered with in any way. It should be secured and isolated from the network, and the Headmaster contacted without delay. Nobody should attempt to investigate the matter or evaluate the material themselves as this may lead to a contamination of evidence and a possibility that they will be at risk of prosecution themselves.

Duty of disclosure

You are required immediately to notify the School if you are charged or convicted of any criminal offence, if you receive a police caution, reprimand or warning, or if there is a formal child protection investigation of you or any member of your household under section 47 of the Children Act 1989 as amended.

Examples of criminal offences:

- In addition to being gross misconduct, it is a criminal offence under the Sexual Offences Act 2003 for a person aged 18 or over who is in a position of trust in relation to another person under 18 to engage in sexual activity with that person. Sexual activity is defined broadly and does not have to include physical contact. The offence is punishable by up to six months' imprisonment and/or an unlimited fine. For the purposes of the Act, a teacher is in a position of trust in relation to students at the school at which he or she is teaching. It should be noted, however, as explained above, that forming inappropriate relationships with children or young people who are students or students at another school may also be regarded as gross misconduct. Such behaviour tends to bring the School into disrepute and gives rise to concern that the staff involved cannot be trusted to maintain professional boundaries with students at the School.
- The Sexual Offences Act 2003 also introduced the offence of "meeting a child following sexual grooming". This applies where an adult arranges to meet a child aged under 16 in any part of the world, if he has met or communicated with that child on at least two earlier occasions and intends to commit a sexual offence against that child. The law is clearly intended to apply where adults contact children through the internet. However, the prior meetings or communications need not have an explicitly sexual content.

- Most sexual activity involving a person under the age of 16 (male or female) is an indecent assault which is both a criminal offence and a matter for which damages can be awarded. This is so, even when the younger person is alleged to have provoked or encouraged the activity.
- The Education (Prohibition from Teaching or Working with Children) Regulations 2003 (SI 2003/1184) require that where an employee is dismissed for misconduct or as being unsuitable to work with children (or resigns to avoid such dismissal), he or she must be reported to the Secretary of State and may be barred or restricted from teaching or working with children.
- Every complaint by a student must be taken seriously and investigated. It may be necessary to involve social services who may themselves involve the police if there are grounds for thinking that a criminal offence has been committed.
- The School takes a zero-tolerance approach to abuse, and it should never be passed off as “banter”, “just having a laugh”, “part of growing up” or “boys being boys” as this can lead to a culture of unacceptable behaviours and an unsafe environment for children.

Alcohol

Alcoholic liquor may not be consumed by staff during normal working hours. Similarly all staff are required to ensure that they are not under the influence of alcoholic liquor at any time when they are responsible for students.

There may be alcoholic drinks at School social functions and the School expects a high standard of behaviour from all members of staff. Student alcohol consumption is forbidden at School events, except at specific events and with prior agreement from the Headmaster or Deputy Head. On such occasions the provision of alcohol must be restricted to those students over the legal age for the country in which the event takes place and subject to prior consent of the students' parents. It is illegal in the UK to serve alcohol to students under the age of 18. An exception is that where students are 16 or 17 where it is legally permissible to serve (but not sell) them beer, wine or cider with a sit down meal.

Anger Management

Never lose your temper with students. A sharp word or bark is often useful and appropriate, but an angry tirade or prolonged shouting are rarely so. Do not humiliate students with a dressing-down in public, and be sensitive to a student's personal space (i.e. don't invade it).

If your temper is dangerously roused, hand the situation over to a senior member of staff (there is no loss of face in this), or return to the matter later when you feel calmer and more controlled.

Breaches of this policy

This policy has been drawn up to provide a source of guidance to the School's employees. It is not a contractual document and can be amended at any time by the School. All staff must comply with both the provisions of this code and the School's policies and procedures, breaches of which will be taken seriously and may result in disciplinary action up to and including dismissal.

Staff are also reminded that this code of conduct is not exhaustive. The School's primary duty is towards the welfare of students and its staff. Individuals are encouraged to take a common sense approach towards their conduct. Any staff member who has a concern or is unsure about an event that has arisen should discuss the matter with the Headmaster, Deputy Head or Bursar as soon as possible.

Conclusion

Much of what is outstanding about Halliford School derives from the warm, friendly and respectful relations which exist between adults and students. It is, however, important that, from time to time, we reappraise our relationships with students, and subject our teaching and working styles to scrutiny, to ensure that they give no grounds for any doubts in the minds of colleagues, students or parents. This Safe Students, Safe Staff Policy, together with such reappraisals, should serve only to confirm that the School and its staff are operating professional 'best practice' and that what is written here is only common sense.