Code of Conduct Policy

Approved by:	Trust Board	**Date:**	September 2019
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INTRODUCTION

The Eko Trust Code of Conduct sets out the professional standards expected across the Trust and the duty upon adults to abide by it. All adults have a duty to keep pupils safe, promote their welfare and to protect them from radicalisation (the Prevent Duty), abuse (sexual, physical and emotional), neglect and safeguarding concerns. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by adults that demonstrates integrity, maturity and good judgement.

This Code does not form part of any employee's contract of employment and it may be amended at any time following consultation.

1. DEFINITIONS

The term "Headteacher" also refers, where appropriate, to any other title used to identify the Headteacher.

For the purposes of this Code the term and references to 'adult' means the following: governors and Trustees, all teaching and other staff (whether or not paid or unpaid, employed or self-employed and whether or not employed directly by the Trust), external contractors providing services to pupils on behalf of the Trust, teacher trainees and other trainees/apprentices, volunteers and any other individuals who work for or provide services on behalf of or for the Trust to include but not limited to all those detailed in the single central record (as amended).

For the purposes of this Code 'young person/people', 'pupils' and 'child/ren' includes all those for whom the Trust provides education or other services.

2. PURPOSE

This policy will help to safeguard adults from being maliciously, falsely or mistakenly suspected or accused of misconduct in relation to pupils. It takes account of the most recent versions of the following guidance (statutory and non-statutory); 'Keeping Children Safe in Education' Department of Education ('DfE') (statutory), Working together to safeguard children' HM Government (statutory) and 'Guidance for safer working practice for those working with children and young people in education settings' (non-statutory).

This Code cannot provide an exhaustive list of what is, or is not, appropriate behaviour for adults. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to the required professional standards. There will be occasions and circumstances in which adults have to make decisions or take action in the best interests of the pupil where no specific guidance has been given. Adults are expected to make responsible and informed judgements about their own behaviour in order to secure the best interests and welfare of the pupils.

Any behaviour in breach of this Code by employees may result in action under the Trust's Disciplinary Policy. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The Trust will take a strict approach to serious breaches of this Code.

3. APPLICATION OF THIS POLICY

This policy applies to all adults as defined above.

4. EQUAL TREATMENT

The Trust Board is committed to ensuring consistency of treatment and fairness. It will abide by all relevant equality legislation, including the duty to make reasonable adjustments for disabled employees. The Trust Board is aware of the guidance on the Equality Act issued by the Department for Education.

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CODE OF CONDUCT

1. EXPECTED PROFESSIONAL STANDARDS

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

- place the well-being and learning of pupils at the centre of their professional practice
- have high expectations for all pupils, be committed to addressing underachievement, and work to help pupils progress regardless of their background and personal circumstances
- treat pupils fairly and with respect, take their knowledge, views, opinions and feelings seriously, and value diversity and individuality
- model the characteristics they are trying to inspire in pupils, including enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people
- respond sensitively to the differences in the home backgrounds and circumstances of pupils, recognising the key role that parents and carers play in pupils' education
- seek to work in partnership with parents and carers, respecting their views and promoting understanding and co-operation to support the young person's learning and well-being in and out of school
- reflect on their own practice, develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues
- ensure that the same professional standards are always applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity

Teachers are required to comply with the Teachers' Standards September 1st 2012, in particular Part 2 Personal and Professional Standards.

All adults must be familiar with and act in accordance with the most recent versions of the following documents:

- Part 1 of Keeping Children Safe in Education DfE (statutory)
- Working Together to Safeguard Children HM Government (statutory)
- Prevent Duty Guidance HM Government (statutory)
- 'The Prevent duty departmental advice for schools and childcare providers' DfE
- 'Guidance for safer working practice for those working with children and young people in education settings' (non-statutory)

An employee who fails to bring a matter of concern to the attention of senior management and/or the relevant agencies is likely to be subject to disciplinary action.

Early Help, Safeguarding and Child Protection Policy

Adults have a duty to act in accordance with the Safeguarding Policy, which is available from the staff room, website, school office and will be given to all new starters. The procedure details how to report any safeguarding, child protection, welfare or radicalisation concerns about a pupil to the relevant Designated Safeguarding Lead.

Whistleblowing

Adults must raise concerns they have about the safeguarding or child protection practices by following the Whistleblowing Policy, which is available from the Trust website and school office and will be given to all new starters. An adult who "whistle blows" or makes a public interest disclosure will have the protection of the relevant legislation.

Allegations of Abuse Against Teachers and Other Staff and Volunteers

Where it is alleged that an Adult has:

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

then the governing body will follow the Trust's Safeguarding Policy and the guidance set out in Part Four of Keeping Children Safe in Education DfE which is available from the Trust website and school office and will be given to all new starters.

2. CONFIDENTIALITY

As data controllers, all schools/academies are subject to the General Data Protection Regulation (GDPR) and Data Protection Act 2018 ("Data Protection Legislation"). In addition, teachers owe a common law duty of care to safeguard the welfare of their pupils. This duty is acknowledged in the provisions governing disclosure of information about pupils.

Adults may have access to confidential information about pupils in order to undertake their responsibilities. In some circumstances the information may be sensitive data and/or confidential. Confidential or personal information about a pupil or their family must never be disclosed to anyone other than on a need to know basis and advice should be sought prior to disclosure to ensure such disclosure is in accordance with the Data Protection Legislation, The Education (Pupil Information) Regulations 2005 (maintained schools), and the Trust's Privacy Notices. In circumstances where the pupil's identity does not need to be disclosed the information should be used anonymously. Information must never be used to intimidate, humiliate, or embarrass the pupil. Information must never be used by anyone for their own or others advantage (including that of partners, friends relatives or other organisations).

There are some circumstances in which an adult may be expected to share information about a pupil, for example when abuse is alleged or suspected. In such cases, adults have a duty to pass information on without delay to those with designated safeguarding responsibilities. See paragraph 19 below.

Confidential information about pupils must be held securely. Confidential information about pupils must not be held off the Trust site other than on security protected Trust equipment. Information must only be stored for the length of time necessary to discharge the task for which it is required.
If a pupil or parent/carer makes a disclosure regarding abuse or neglect, the adult must follow the Trust's policies and the guidance as set out in Keeping Children Safe in Education DfE. Confidentiality must not be promised to the pupil or parent/carer however reassurance should be given that the information will be treated sensitively.

If an adult is in any doubt about the storage or sharing of information they must seek guidance from the Designated Safeguarding Lead. Any media or legal enquiries must be passed to senior management.

3. PROPRIETY, BEHAVIOUR AND APPEARANCE

All adults working with children have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their colleagues, pupils and the public in general. An adult's behaviour or actions, either in or out of the workplace, must not compromise their position within the work setting, or bring the Trust into disrepute. Non-exhaustive examples of unacceptable behaviour are contained in the Trust's disciplinary policy.

Adults are required to notify the Trust immediately of any allegation/s of misconduct that are of a safeguarding nature made against them (or implicating them), by a child or adult in relation to any outside work or interest (whether paid or unpaid) and, of any arrest or criminal charge whether child related or not. Where employees fail to do so, this will be treated as a serious breach of this Code and dealt with under the Trust's disciplinary policy.

Individuals should not behave in a manner which would lead any reasonable person to question their suitability to work with children or to act as an appropriate role model; make, or encourage others to make sexual remarks to, or about, a pupil; use inappropriate language to or in the presence of pupils; discuss their personal or sexual relationships with or in the presence of pupils; make, or encourage

others to make, unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such. Behaving in an unsuitable way towards children may result in disqualification from childcare under the Childcare Act 2006, prohibition from teaching by the NCTL, a bar from engaging in regulated activity, or action by another relevant regulatory.

A person's dress and appearance are matters of personal choice, self-expression, religious and cultural customs. However, adults must maintain an appropriate standard of dress and personal appearance at work which promotes a positive and professional image. Clothing and footwear must be safe and clean and take account of health and safety considerations. Adults must ensure they are dressed in ways which are appropriate to their role and not likely to be viewed as offensive, revealing or sexually provocative and specifically should not distract, cause embarrassment or give rise to misunderstanding, should be religious and culturally sensitive and free of any political or otherwise contentious slogans, and not considered to be discriminatory. Adults who dress or appear in a manner which may be considered as inappropriate could render themselves vulnerable to criticism or, where the adult is an employee, allegations of misconduct that may lead to action under the Trust's Disciplinary Policy.

Personal property of a sexually explicit nature or property which might be regarded as promoting radicalisation or otherwise inappropriate such as books, magazines, CDs, DVDs or such material on any electronic media including links to such material must not be brought onto or stored on Trust premises or on any Trust equipment.

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

A relationship between an adult and a child or young person is not a relationship between equals; the adult has a position of power or influence. There is potential for exploitation and harm of children or vulnerable young people and all adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification. Adults must not use their status or position to form or promote relationships with children (whether current pupils or not), that are of a sexual nature, or which may become so. Adults should maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report any incident with this potential.

Any sexual behaviour or activity, whether homosexual or heterosexual, by an adult with or towards a child/pupil or young person is illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether there is consent or not. Where a person aged 18 or over is in a specified position of trust with a child or young person under 18 years, the Sexual Offences Act 2003 makes it an offence for that person to engage in sexual activity with or in the presence of that child or to cause or incite that child to engage in or watch sexual activity.

Sexual behaviour includes non-contact activities, such as causing a child or young person to engage in or watch sexual activity or the production of indecent images of children. 'Working Together to Safeguard Children', Appendix A defines sexual abuse as "…forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening…"

Adults must not have sexual relationships with pupils or have any form of communication with a child, which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, texts, electronic mail, phone calls, social networking contact or physical contact. The adult should not make sexual remarks to, or about, a child or discuss their own sexual relationships with or in the presence of pupils. Adults should take care that their language or conduct does not give rise to comment or speculations. Attitudes, demeanour and language all require care and thought.

There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child or young person, and manipulate that relationship so that sexual abuse can take place. Adults should be aware that conferring special attention without good reason or

favouring a pupil has the potential to be construed as being part of a 'grooming' process, which is a criminal offence.

5. INFATUATIONS AND CRUSHES

A child or young person may develop an infatuation with an adult who works with them. An adult, who becomes aware (may receive a report, overhear something, or otherwise notice any sign no matter how small or seemingly insignificant) that a pupil has become or may be becoming infatuated with them or a colleague, must report this without delay to the Headteacher or the most senior manager so that appropriate action can be taken to avoid any hurt, distress or embarrassment. The situation will be taken seriously and the adult should be careful to ensure that no encouragement of any kind is given to the pupil. It should also be recognised that careless and insensitive reactions may provoke false accusations.

Examples of situations which must be reported are given below:

- Where an adult is concerned that they might be developing a relationship with a pupil which could have the potential to represent an abuse of trust
- Where an adult is concerned that a pupil is becoming attracted to them or that there is a developing attachment or dependency
- Where an adult is concerned that actions or words have been misunderstood or misconstrued by a pupil such that an abuse of trust might be wrongly suspected by others
- Where an adult is concerned about the apparent development of a relationship by another adult, or receives information about such a relationship

6. GIFTS, REWARDS, FAVOURITISM AND EXCLUSION

It is against the law for public servants to take bribes. Adults need to take care that they do not accept any gift that might be construed by others as a bribe, or lead the giver to expect preferential treatment. There are occasions when pupils or parents/carers wish to pass small tokens of appreciation to adults e.g. at Christmas or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value. All gifts with a value of over £30.00 must be declared and recorded on the gifts and hospitality register.

Personal gifts must not be given to pupils or their families/carers. This could be misinterpreted as a gesture either to bribe or groom. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a pupil should be consistent with the Trust's behaviour or rewards policy, recorded, and not based on favouritism.

Care should be taken when selecting children for specific activities, jobs, privileges and when pupils are excluded from an activity in order to avoid perceptions of favouritism or injustice. Methods of selection and exclusion should be subject to clear, fair and agreed criteria.

7. SOCIAL CONTACT AND SOCIAL NETWORKING

Communication between pupils and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones, tablets, text messages, emails, instant messages, websites, social media such as Facebook, Twitter, Instagram, chat-rooms, forums, blogs, apps such as Whatsapp, gaming sites, digital cameras, videos, web-cams and other handheld devices. Adults should not share any personal information with pupils and they should not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role. They should ensure that all communications are transparent and avoid any communication that could be interpreted as ‘grooming behaviour’.

Adults must not give their personal contact details such as home/mobile phone number; home or personal e-mail address or social networking details to pupils unless the need to do so is agreed in writing with senior management. If, for example, a pupil attempts to locate an adult’s personal contact details and attempts to contact or correspond with them, the adult should not respond and must report the matter to their manager.

It is recommended that adults ensure that all possible privacy settings are activated to prevent pupils from making contact on personal profiles and to prevent pupils from accessing photo albums or other personal information which may appear on social networking sites.

Adults are personally responsible for what they communicate in social media and must bear in mind that what is published might be read by us, pupils, parents and carers, the general public, future employers and friends and family for a long time. Adults must ensure that their on-line profiles are consistent with the professional image expected by us and must not post material which damages the reputation of the Trust or which causes concern about their suitability to work with children and young people. Those who post material which may be considered as inappropriate could render themselves vulnerable to criticism or, in the case of an employee, allegations of misconduct which may be dealt with under the disciplinary policy. Even where it is made clear that the writer's views on such topics do not represent those of the Trust, such comments are inappropriate.

Adults are advised not to have any online friendships with any young people under the age of 18, unless they are family members or close family friends. Adults are advised not to have online friendships with parents or carers of pupils, or members of the governing body/trustees. Where such online friendships exist, adults must ensure that appropriate professional boundaries are maintained.

It is acknowledged that adults may have genuine friendships and social contact with parents or carers of pupils, independent of the professional relationship. Adults should, however, inform senior management of any relationship with a parent/carer where this extends beyond the usual parent/carer/professional relationship; advise senior management of any regular social contact they have with a pupil or parent/carer, which could give rise to concern; inform senior management of any requests or arrangements where parents/carers wish to use their services outside of the workplace e.g. babysitting, tutoring; and adults should always approve any planned social contact with pupils or parents/carers with senior colleagues, for example when it is part of a reward scheme. If a parent/carer seeks to establish social contact, or if this occurs coincidentally, the adult should exercise their professional judgment and should ensure that all communications are transparent and open to scrutiny.

Some employees may, as part of their professional role, be required to support a parent or carer. If that person comes to depend upon the employee or seeks support outside of their professional role this should be discussed with senior management and where necessary referrals made to the appropriate support agency.

8. PHYSICAL CONTACT, PERSONAL PRIVACY AND PERSONAL CARE

There are occasions when it is entirely appropriate and proper for employees to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role and in relation to the pupil's individual needs and any agreed care plan. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity, culture and background. Employees must use their professional judgement at all times. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil in one set of circumstances may be inappropriate in another, or with a different pupil.

Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. Adults should never touch a pupil in a way which may be considered indecent. If an adult believes that an action could be misinterpreted, the incident and circumstances should be reported as soon as possible [to the manager and recorded in the Trust's incident book, and, if appropriate, a copy placed on the pupil's file].

Physical contact, which occurs regularly with a pupil or pupils, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to pupils with SEN or physical disabilities). Any such contact should be the subject of an agreed and open school policy and

subject to review. Where feasible, staff should seek the pupil's permission before initiating contact. Adults should listen, observe and take note of the pupil's reaction or feelings and – so far as is possible - use a level of contact which is acceptable to the pupil for the minimum time necessary.

There may be occasions when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. Adults should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation. Adults should always tell a colleague when and how they offered comfort to a distressed pupil.

Where an adult has a particular concern about the need to provide this type of care and reassurance they should seek further advice from a senior manager.

Some employees, for example, those who teach PE and games, or who provide music tuition will on occasions have to initiate physical contact with pupils in order to support a pupil so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the pupil's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in a safe and open environment. Adults should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil.

All parties should clearly understand from the outset what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers informed of the extent and nature of any physical contact may also prevent allegations of misconduct arising. Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be reported to the senior manager and parent/carer.

Pupils are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard pupils, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the pupils concerned and sensitive to the potential for embarrassment. Adults who are required as part of their role to attend changing rooms should announce their intention of entering any pupil changing rooms and only remain in the room where the pupil/s needs require this.

Employees with a job description which includes intimate care duties will have appropriate training and written guidance including a written care plan for any pupil who could be expected to require intimate care. Staff should adhere to the Trust's intimate and personal care and nappy changing policies. No other adult should be involved in intimate care duties except in an emergency. A signed record should be kept of all intimate and personal care tasks undertaken and, where these have been carried out in another room, include times left and returned. Employees should not assist with personal or intimate care tasks which the pupil is able to undertake independently.

9. BEHAVIOUR MANAGEMENT AND PHYSICAL INTERVENTION

All pupils have a right to be treated with respect and dignity. Adults must not use any form of degrading treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards pupils is not acceptable in any situation. Deliberately intimidating pupils by shouting aggressively, hectoring or overbearing physical presence is not acceptable in any situation. Any sanctions or rewards used should be part of the Trust's Behaviour Management Policy.

Physical intervention can only be justified in exceptional circumstances. Non-statutory guidance is available from the Department of Education website. See 'Use of reasonable force - advice for Head Teachers, Staff and Governing Bodies'. Adults may legitimately intervene to prevent a pupil from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Adults should have

regard to the health and safety of themselves and others. It is always unlawful to use force as a punishment. The use of unwarranted physical force is likely to constitute a criminal offence.

Where a pupil has specific needs in respect of particularly challenging behaviour, a positive handling plan, including a risk assessment, should be put in place and agreed by all parties. Where it is judged that a pupil's behaviour presents a serious risk to themselves or others, a robust risk assessment that is regularly reviewed and a physical intervention plan, where relevant, must be put in place. All incidents and subsequent actions should be recorded and reported to a manager and the pupil's parents/carers. Where it can be anticipated that physical intervention is likely to be required, a plan should be put in place that the pupil and parents/carers are aware of and have agreed to. Parental consent does not permit the use of unlawful physical intervention or deprive a pupil of their liberty. The Trust has separate policies on Behaviour Management and the Use of Physical Intervention.

10. FIRST AID AND MEDICATION

The Trust has a separate policy on supporting pupils with a medical condition. Employees should have regard to the statutory guidance 'Supporting pupils at school with medical conditions' DfE December 2015, which includes advice on managing medicines. All settings must have an adequate number of qualified first aiders/appointed persons. Employees must have had the appropriate training and achieved the necessary level of competency before administering first aid or medication, or taking on responsibility to support pupils with medical conditions. If an adult is concerned or uncertain about the amount or type of medication being given to a pupil this should be discussed with the Designated Safeguarding Lead.

Adults taking medication that may affect their ability to care for children should seek medical advice regarding their suitability to do so and should not work with pupils whilst taking medication unless medical advice confirms that they are able to do so. Adult medication on the premises must be securely stored out of the reach of children.

11. ONE TO ONE SITUATIONS AND MEETINGS WITH PUPILS

One to one situations have the potential to make children/young persons more vulnerable to harm by those who seek to exploit their position of trust. Adults working in one to one settings with pupils may also be more vulnerable to unjust or unfounded allegations being made against them. Adults must recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure that the safety and security needs of both adults and pupils are met. Managers should undertake a risk assessment in relation to the specific nature and implications of one to one work for each adult and pupil, which should be reviewed regularly. Where such a meeting is demonstrably unavoidable it is advisable to avoid remote or secluded areas and to ensure that the door of the room is left open and/or visual/auditory contact with others is maintained. Any arrangements should be reviewed on a regular basis.

Pre-arranged meetings with pupils away from the premises or on the Trust site when the Trust is not in session are not permitted unless written approval is obtained from their parent/carer and the Headteacher or other senior colleague with delegated authority.

No pupil should be in or invited into the home of an adult who works with them, unless they are family members or close family friends, in which case adults are advised to notify their line manager. Pupils must not be asked to assist adults with jobs or tasks at or in their private accommodation or for their personal benefit.

There are occasions during exam periods when timetables clash and arrangements need to be made to preserve the integrity of the of the examination process and in these circumstances exam boards may allow candidates to take an exam the following morning, including Saturdays. The examination board requires the centre to determine a method of supervision on journeys to and from the centre and overnight, which ensures the candidate's wellbeing. This supervision may be undertaken by a

parent/carer or, employees may be asked to volunteer to supervise pupils, which may with prior approval be in their own home.

Other than in an emergency, an adult must not enter a pupil's home if the parent/carer is absent. Always make detailed records including times of arrival and departure and ensure any behaviour or situation that gives rise to concern is discussed with a senior manager/Headteacher. A risk assessment should be undertaken and appropriate risk management measures put in place prior to any planned home visit taking place. In the unlikely event that little or no information is available, home visits should not be made alone. The Trust has a separate home visit and lone-working policy.

12. TRANSPORTING PUPILS

In certain situations e.g. out of school activities, adults may agree to transport pupils. Transport arrangements should be made in advance by a designated employee who will be responsible for planning and overseeing all transport arrangements and respond to any concerns that may arise. Wherever possible and practicable transport should be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort.

Adults should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They must ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded. It is a legal requirement that all passengers wear seatbelts and the driver should ensure that they do so. The driver should be aware of the current legislation concerning the use of car seats for younger children where applicable. It is illegal to drive using hand-held phones or similar devices and the driver must ensure that they adhere to all driving regulations.

It is inappropriate for adults to offer lifts to a pupil, unless the need has been agreed with a manager and, if this falls outside their normal working duties, has been agreed with parents/carers.

There may be occasions where a pupil requires transport in an emergency situation or where not to give a lift may place a pupil at risk. Such circumstances must always be recorded and reported to a senior manager and parents/carers.

13. EDUCATIONAL VISITS AND SCHOOL CLUBS

Adults should take particular care when supervising pupils in the less formal atmosphere of an educational visit, particularly in a residential setting, or after-school activity. Adults remain in a position of trust and the same standards of conduct apply. Please refer to the Trust's policy on educational visits and the Health and Safety policy.

14. CURRICULUM

Some areas of the curriculum can include or raise subject matter which is sexually explicit, of a political, cultural, religious or an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit, political, cultural, religious or otherwise sensitive nature. Responding to pupils' questions can require careful judgement and adults must take guidance in these circumstances from the Designated Safeguarding Lead. Adults must not enter into or encourage inappropriate discussion about sexual, political or religious activity or behaviour or, discussions which may offend or harm others. Adults should take care to protect children from the risk of radicalisation and should act in accordance with advice given under Part 1 of Keeping Children Safe in Education DfE and accordingly must not express any prejudicial views or, attempt to influence or impose their personal values, attitudes or beliefs on pupils.

Please refer to the Trust's policy on sex and relationships education (SRE) and, the policy on spiritual, moral, social and cultural development (SMSC).

15. PHOTOGRAPHY, VIDEOS AND OTHER CREATIVE ARTS

Please refer to the Trust's guidance on e-safety, the use of images and the consent forms therein. Adults should have regard to the ICO CCTV code of practice and the guidance 'Taking Photographs in Schools'.

Many educational activities involve the taking or recording of images. This may be undertaken as part of the curriculum, extra school activities, for displays, publicity, to celebrate achievement or, to provide evidence of the activity. An image of a child is personal data and it is, therefore, a requirement under Data Protection Legislation that explicit consent is obtained from the parent/carer of a child before any images are made such as those used for school web sites, notice boards, productions or other purposes, unless an alternative legal justification for processing this data is applicable.

Adults need to be aware of the potential for such images to be taken and/or misused to create indecent images of children and/or for 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. There should be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

Adults should remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken.

Adults should only use equipment provided or authorised by the Trust to make/take images and should not use personal equipment, mobile telephones or any other similar devices to make/take images.

The following guidance should be followed:

- if a photograph is used, avoid naming the pupil
- if the pupil is named, avoid using the photograph
- photographs/images must be securely stored and used only by those authorised to do so
- be clear about the purpose of the activity and about what will happen to the photographs/images when the lesson/activity is concluded
- only retain images when there is a clear and agreed purpose for doing so
- ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose
- ensure that all photographs/images are available for scrutiny in order to screen for acceptability
- be able to justify the photographs/images made
- do not take images of pupils for personal use
- only take images where the pupil consents to this
- do not take photographs in one to one situations
- do not display or distribute photographs/images of pupils unless there is consent to do so from the parent/carer
- only publish images of pupils where they and their parent/carer have given explicit written consent to do so
- do not take images of pupils in a state of undress or semi-undress
- do not take images of pupils which could be considered as indecent or sexual.

16. UNACCEPTABLE USE OF ICT FACILITIES AND MONITORING

This section should be read in conjunction with the Trust IT Acceptable Use Policy and privacy notices. Posting, creating, accessing, transmitting, downloading, uploading or storing any of the following material (unless it is part of an authorised investigation) is likely to amount to gross misconduct and result (where the adult is employed) in summary dismissal (this list is not exhaustive):

a) pseudo-images of children (child abuse images), pornographic or sexually suggestive material or images of children or adults which may be construed as such in the

circumstances (that is, writing, texting, pictures, films and video clips of a sexually explicit or arousing nature),

b) any other type of offensive, obscene or discriminatory material, criminal material or material which is liable to cause distress or embarrassment to Trust or others.

If indecent images of children are discovered at the premises or on the Trust's equipment/devices, an immediate referral should be made to the Trust designated Safeguarding Lead and Head Teacher (unless they are implicated) and the external Designated Officer (DO) and, if relevant, the police contacted. The images/equipment should be secured, should not be used by others and should be isolated from the network. There should be no attempt to view, tamper with or delete the images as this could jeopardise any necessary criminal investigation. If the images are of children are known to the Trust, a referral should also be made to children's social care in accordance with local arrangements.

The contents of the Trust's ICT resources and communications systems are the Trust's property. Therefore, adults should have no expectation of privacy in any message, files, data, document, facsimile, telephone conversation, social media post, conversation or message, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on the Trust's electronic information and communications systems.

The Trust reserves the right to monitor, intercept and review, without prior notification or authorisation from adults. Usage of the Trust's IT resources and communications systems, including but not limited to telephone, e-mail, messaging, voicemail, CCTV, internet and social media postings and activities is monitored to ensure that the Trust's rules are being complied with and for the following purposes:

a) to monitor whether the use of the e-mail system or the internet is legitimate and in accordance with this Code;

b) to assist in the investigation of alleged wrongful acts; or

c) to comply with any legal obligation.

Personal data will be stored in accordance with the Trust's Privacy Notices. The Trust may store copies of data or communications for a period of time after they are created, and may delete such copies from time to time without notice. If necessary information may be handed to the police in connection with a criminal investigation.

A CCTV system monitors the Trust 24 hours a day. This data is recorded and may be used as evidence of any alleged wrong doing.

Cyber-bullying can be experienced by adults as well as pupils. Adults should notify their line manager if they are subject to cyber-bullying. The Trust will endeavour to protect adults and stop any inappropriate conduct.

17. REPORTING CONCERNS AND RECORDING INCIDENTS

All adults must report concerns and incidents in accordance with the guidance set out in Keeping Children Safe in Education DfE and/or the Safeguarding Policy. In the event of an allegation being made, or incident being witnessed, the relevant information should be immediately recorded and reported to the Headteacher, Senior Manager or Designated Safeguarding Lead as appropriate. An employee who fails to bring a matter of concern to the attention of senior management and/or the relevant agencies will be subject to disciplinary action.

In addition to behaviours outlined elsewhere in this Code and, the types of abuse and neglect set out in Keeping Children Safe in Education DfE, the following is a non-exhaustive list of some further behaviours which would be a cause for concern:

An adult who:

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

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