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Code of Conduct Policy

Written: November 2021

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Signed LAB:

Signed TGT:

**Bardwell School Staff Conduct Guidelines**

**Introduction**

The Local Academy Board (LAB) of Bardwell School have adopted the model policy of Oxfordshire County Council.

These guidelines are intended to assist all staff (including volunteers) in understanding the professional standards of behaviour expected of all employees of the school and in maintaining appropriate professional relationships and boundaries in their work role.

They should be read alongside the Council’s guidance for all employee’s [9.6 Officers' Code of Conduct (.pdf format, 66 Kb)](http://www.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/aboutyourcouncil/corporateovernance/constitution/Part9-6OfficersCodeConduct.pdf) .

Teachers should also refer to their own professional code of conduct.

They are intended to protect staff from making mistakes, to guard against misunderstanding and to support our safeguarding responsibilities to children and young people.

This is a generic OCC document that complements existing professional procedures, protocols, policies and guidance which relate to specific roles, responsibilities or professional practices within the Bardwell School.

It is based on the Guidance for Safer Working Practice for Adults working with Children and Young People (DCSF - January 2009)

All staff (including volunteers) should be familiar with and adhere to the Bardwell Child Protection Policy and Safeguarding Policy (2021/22).

It is recognised that this document will not cover every situation which may arise in the course of carrying out the professional duties of your role. Seek advice from a senior manager of the service if you have any concerns and ensure you keep a dated record of any actions.

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**Section 1: Context for these Guidelines**

**Duty of Care**

All adults who work with, and on behalf of children are accountable for the way in which they exercise authority; manage risk; use resources; and safeguard children and young people.

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| **This means that all adults should…** | **This means that Bardwell School should…** |
| * understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached; * always act, and be seen to act, in the child’s best interests; * avoid any conduct which would lead any reasonable person to question their motivation and intentions; * take responsibility for his/her own actions and behaviour. | * ensure appropriate safeguarding polices and procedures are in place; * ensure that codes of conduct/practices are continually monitored and reviewed; * ensure that appropriate safeguarding polices and procedures are in place in other agencies or service providers used. * foster a culture of openness and support; * ensure that systems are in place for concerns to be raised; * ensure that adults are not placed in situations which render them particularly vulnerable; * ensure all adults have access to and understand this guidance and related, policies and procedures; * ensure that all job descriptions and person specifications clearly identify the competences necessary to fulfil the duty of care; |

**Confidentiality**

Adults may have access to confidential information about children and young people in order to undertake their responsibilities. In some circumstances they may have access to or be given highly sensitive or private information. These details must be kept confidential at all times and only shared when it is in interests of the child to do so. Such information must not be used to intimidate, humiliate, or embarrass the child or young person concerned.

Staff are expected to maintain the confidentiality and security of all information and may be personally, legally liable for any breach of confidentiality as well as subject to disciplinary action.

**Note:** *This expectation continues to apply even after a staff member has finished working for the County Council.*

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| **This means that all adults must…** |
| * sign the Oxfordshire Confidentiality Agreement. A copy will be held in their staff file. Admin staff will confirm with John Riches that it has been signed for noting on the Central record; * treat information they receive about children and young people in a discreet and confidential manner; * be clear about when information can be shared and in what circumstances it is appropriate to do so; * ensure that student information and/or records are not left out where others may be able to access that information; * seek advice from a senior member of staff if they are in any doubt about sharing information they hold or which has been requested of them; * know to whom any concerns or allegations should be reported. |

**Power and Positions of Responsibility**

As a result of their knowledge, position and/or the authority invested in their role, all adults working with children and young people are in positions of trust in relation to the young people in their care.

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| ***This means that adults should not:*** |
| * use their position to gain access to information for their own or others’ advantage * use their position to intimidate, bully, humiliate, threaten, coerce or undermine children or young people * use their status and standing to form or promote relationships which are of a sexual nature, or which may become so |

**Whistle Blowing**

Whistle blowing is the mechanism by which adults can voice their concerns, in good faith, without fear of repercussion. Adults should acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where the welfare of children may be at risk.

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| **This means that adults should:** | **This means that Bardwell School should:** |
| * report any behaviour by colleagues that raises concern regardless of source | * ensure clear procedures for dealing with allegations against staff, which are in line with the Local Safeguarding Children Board’s procedures. |

**Making a Professional Judgement**

This guidance cannot provide a complete checklist of what is, or is not inappropriate behaviour for adults in all circumstances. There may be occasions and circumstances in which adults 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.

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| ***This means that, where no other specific guidance exists, adults should:*** |
| * discuss the circumstances that informed their action, or their proposed action, with a senior member of the senior leadership team; * report any actions which could be mis-interpreted to their senior manager; * always discuss any misunderstanding, accidents or threats with a senior manager; * always record dated discussions and reasons why actions were taken. |

**Section 2 - Appropriate Behaviour in the Workplace**

**Professional Relationships**

All adults working with children and young people have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and all those with whom they work.

It is essential that staff maintain a strictly **professional relationship** with the children and young people they support and with their parents and families.

Although staff may develop close professional relationships with children, especially where they have worked with them for an extended period of time, it is important to remember that these are not personal relationships and they exist only in the context of the work role.

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| **This means that adults must:** | **This means that adults must not:** |
| * Maintain only open and formal communication with children and their families through agreed channels, such as home school diaries, the work telephone line and work email. * Use only work phone and email contacts for communication with students and their families. * Be aware of the professional relationship if they meet children and their families incidentally in a public place. * Use only language appropriate to the professional relationship when communicating with or around children and young people. (for example calling students by name rather than ‘mate’) * Treat all children and their families equally. * Redirect any informal approaches appropriately to the right person and through the right channel. * Remain aware of the limitations of the professional role at all times, reminding parents of this, referring them on to other sources of help if appropriate. * Ensure they are familiar with the Council guidance [social media policy (.pdf format, 92 KB)](http://portal.oxfordshire.gov.uk/content/public/corporate/AtWork/Policies/SocialMediaPolicyandGuidancev1.pdf). | * Make contact with children and young people outside of working hours or during school holidays unless this is an agreed part of their work remit or they are attending events organised by a voluntary agency. * Disclose personal information to children and families, or share personal telephone or other contact details, * Share personal problems or personal matters in the course of their work with young people. * Use social networking sites (such as Facebook or Twitter) to or allow access to personal information published on such sites. * Not offer a service (even just an opportunity to listen) to one family that we cannot offer to all. |

**Note:** On occasions staff may be employed to work with the family in a different capacity, either under ‘direct payments’ by the family, or by another agency or another service of Oxfordshire County Council. In such circumstances, different principles might govern ways in which they maintain contact with the family. In this case, it may be acceptable, for example, to use personal mobiles for making contact, but the employee must be mindful of the different sets of guidelines under which they operate in their different roles and ensure that they do not compromise one role through their behaviour or professional standards in the other.

**Dress and Appearance**

A person's dress and appearance are matters of personal choice and self-expression. However in the workplace adults should dress in professionally appropriate clothes and this may need to be different to how they dress when not at work.

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| **This means that adults should wear clothing which:** |
| * is appropriate to their role; * is not likely to be viewed as offensive, revealing, or sexually provocative; * does not distract, cause embarrassment or give rise to misunderstanding; * is absent of any political or otherwise contentious slogans; * cannot be considered to be discriminatory and is culturally sensitive. |

**Physical Contact**

Physical contact with children may be required as part of your role. There are occasions when it is entirely appropriate for adults to have some physical contact with the child or young person with whom they are working. For example in providing personal care, offering support, praise and encouragement, or when a child is distressed and needs comfort and reassurance.

However, it is crucial that in all circumstances, adults should only touch children in ways which are appropriate to their professional or agreed role and responsibilities.

**Note:** Separate guidelines are available regarding the use of physical contact and restrictive physical interventions for the purposes of behaviour management. Refer to the Autism Support Service for further information and guidance.

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| **This means that adults should:** |
| * be aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described; * never touch a child in a way which may be considered indecent; * consider age appropriateness as a factor in all forms of physical contact; * consider the way in which they offer comfort and reassurance to a distressed child and do it in an age-appropriate way * not assume that all children seek physical comfort if they are distressed * always be prepared to report and explain actions and accept that all physical contact be open to scrutiny; * not indulge in ‘horseplay’ * always encourage children, where possible, to undertake self-care tasks independently; * work within Health and Safety regulations; * be aware of cultural or religious views about touch; * always be sensitive to issues of gender; |
| **This means that class teachers should:** |
| * ensure a system is in place for recording incidents and the means by which information about incidents and outcomes can be easily accessed by senior management * make adults aware of relevant professional or organisational guidance in respect of physical contact and meeting the medical needs of children and young people where appropriate. |

**Social Contact**

Adults who work with children and young people should not seek to have social contact with them or their families, unless the reason for this contact has been firmly established and agreed with senior managers.

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| **This means that adults should:** |
| * consider the appropriateness of social contact in the light of their role and nature of their work. * approve any planned social contact with children or parents with senior colleagues, * have no secret social contact with children and young people or their parents * advise senior management of any social contact they have with a child or a parent with who whom they work, which may give rise to concern * report and record any situation, which may place a child at risk or which may compromise the organisation or their own professional standing |

**Sexual Contact**

All adults should clearly understand the need to maintain appropriate boundaries in their contacts with children and young people. Intimate or sexual relationships between children/young people and the adults who work with them will be regarded as a grave breach of trust. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable.

Any sexual activity between an adult and the child or young person with whom they work may be regarded as a criminal offence and will always be a matter for disciplinary action.

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| **This means that adults should not:** | **This means that adults should:** |
| * have sexual relationships with children and young people * have any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact * make sexual remarks to, or about, a child/young person * discuss their own sexual relationships with or in the presence of children or young people | * ensure that their relationships with children and young people clearly take place within the boundaries of a respectful professional relationship * take care that their language or conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when members of staff are dealing with adolescent boys and girls. |

**Infatuations**

Occasionally, a child or young person may develop an infatuation with an adult who works with them. These adults should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned.

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| **This means that adults should:** |
| * report and record any incidents or indications (verbal, written or physical) that suggest a child or young person may have developed an infatuation with an adult in the workplace * always acknowledge and maintain professional boundaries |

**Smoking**

Bardwell School is a non smoking service – staff who are smokers should not discuss this with young people and are expected to smoke only off site and out of sight of the children and young people.

**Using Appropriate Language**

The language used around children and young people is extremely important in providing appropriate role models and developing their social communication skills.

Children and young people require clear communication at all times that is tailored to their individual receptive language ability. Thinking continually about what is said and how it is said is a critical part of our role not just in formal teaching and learning situations with the students, but in **all** our interactions with them.

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| **This means that adults should not:** |
| * Use overly informal language with students such as their peers might use, for example playground slang, as this blurs the professional relationship; * Use sarcasm or joking at the expense of the children. * Use inappropriate sexualised language, or innuendo around children and young people, whether they understand it or not. * Use casually pejorative language (‘he’s been a little devil today’) about the children either verbally or in written communication, even in jest. * Use language that belittles or excludes the child or young person in any way. |

**Section 3 - Appropriate Behaviour Outside the Workplace**

**Personal Living Space**

No child or young person should be in or invited into, the home of an adult who works with them, unless the reason for this has been firmly established and agreed with parents / carers and senior managers.

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| **This means that adults should:** |
| * be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations; * challenge any request for their accommodation to be used as an additional resource for the organisation; * be mindful of the need to maintain professional boundaries; * refrain from asking children and young people to undertake personal jobs or errands. |

**One to One Situations**

Specialist teams should ensure one to one working is clearly defined in lone working guidelines and carefully considered in the guidance they give to staff.

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| **This means that adults should:** |
| * ensure that when lone working is an integral part of their role, full and appropriate risk assessments have been conducted and agreed; * avoid meetings with a child or young person in remote, secluded areas; * always inform other colleagues and/or parents/carers about the contact(s) beforehand, assessing the need to have them present or close by; * avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy; * always report any situation where a child becomes distressed or angry to a senior colleague; * carefully consider the needs and circumstances of the child/children when in one to one situations. |

**Home Visits**

There are staff for whom home visits are an integral part of their work. In these circumstances it is essential that appropriate risk assessments are in place to safeguard children and young people and the adults who work with them.

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| **These means that adults should:** | **This means that Bardwell School should:** |
| * agree the purpose for any home visit with senior management, unless this is an acknowledged and integral part of their role; * adhere to agreed risk management strategies; * always make detailed records including times of arrival and departure and work undertaken; * ensure that any behaviour or situation which gives rise to concern is discussed with their manager and appropriate, action is taken. | * ensure that have home visiting and lone-working policies are in place of which all adults are aware. These should include arrangements for risk assessment and management; * ensure all visits are justified and recorded; * ensure that adults are not exposed to unacceptable risk; * ensure that adults have access to a work mobile telephone and an emergency contact person. |

**Transporting Children and Young People**

There will be occasions when adults are expected or asked to transport children in private cars or service minibuses, as part of their duties. Adults, who use their own vehicles for transporting children must ensure that the vehicle is roadworthy, appropriately insured and that the maximum capacity is not exceeded.

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| **This means that adults should:** |
| * + ensure they are fit to drive and free from the influence of drugs, alcohol or medicine which is likely to impair judgement and / or ability to drive;   + ensure that a risk assessment relating to transporting children is in place and OCC Form VDD is completed;   + be aware that the safety and welfare of the child is their responsibility until they are safely passed over to a parent/carer;   + record details of the journey in accordance with agreed procedures;   + ensure that their behaviour is appropriate at all times;   + ensure proper arrangements in place to ensure vehicle, passenger and driver safety. This includes having proper and appropriate insurance for the type of vehicle being driven;   + ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified if questioned; |

**Section 4 - Personal Care**

**Intimate Care**

Some job responsibilities necessitate intimate physical contact with children on a regular basis, for example assisting young children with toileting, providing intimate care for children with disabilities or in the provision of medical care. The nature, circumstances and context of such contact should comply with professional codes of practice or guidance and/or be part of a formally agreed plan, which is regularly reviewed.

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| **This means that adults should:** |
| * adhere to the specialist team’s intimate care guidelines or code of practice of the setting * make other staff aware of the task being undertaken * explain to the child what is happening * consult with senior managers and parents/carers where any variation from agreed procedure/care plan is necessary * record the justification for any variations to the agreed procedure/care plan and share this information with parents * ensure that any changes to the agreed care plan are discussed, agreed and recorded. |

**First Aid and Administration of Medication**

It is expected that adults working with children and young people should be aware of basic first aid techniques. It is not however, a contractual requirement and whilst adults may volunteer to undertake such tasks, they should be suitably trained and qualified before administering first aid and/or any agreed medication.

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| **This means that adults should:** |
| * adhere to the setting’s policy for administering first aid or medication * comply with the necessary reporting requirements * make other adults aware of the task being undertaken * explain to the child what is happening. * always act and be seen to act in the child’s best interests * report and record any administration of first aid or medication * have regard to any health plan which is in place |

**Section 5 - Appropriate Use of Communication Technology**

**Communication with Children and Young People**

Communication between children 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 text messaging, e-mails, digital cameras, videos, web-cams, websites and blogs. Adults should not share any personal information with a child or young person. 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. Adults should ensure that all communications are transparent and open to scrutiny.

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| **This means that adults should:** | **This means that adults should not:** |
| * use only equipment provided by the service to communicate with children, making sure that parents have given permission for this form of communication to be used; * recognise that text messaging is rarely an appropriate response to a child in a crisis situation or at risk of harm. It should only be used as a last resort if other forms of communication are impossible; *nb it is recognised for a hearing impaired child/young person text messaging can be a key method of communication* * ensure that if a social networking site is used, details are not shared with children and young people and privacy settings are set at maximum. [social media policy (.pdf format, 92 KB)](http://portal.oxfordshire.gov.uk/content/public/corporate/AtWork/Policies/SocialMediaPolicyandGuidancev1.pdf). | * give their personal contact details to children or young people, including their personal mobile telephone number and details of any blogs or personal websites; * use internet or web-based communication channels to send personal messages to a child/young person; |

**Use of Personal Mobile Phones**

Staff should not make use of personal mobile phones during working hours, and at times when they are supporting students, either to receive or make personal calls or to send or receive personal text messages.

An exception could be agreed with a senior manager for the use of a personal mobile for safety or security purposes, or to provide lines of communication between a staff member and the school, when off site, for example.

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| **This means that adults should ensure:** |
| * That all personal mobile phones remain switched off and out of sight during working hours / contact time. * Personal mobile phones should not be used for any work related call (except as a line of communication directly with school). * That they do not receive or make personal calls or send personal texts during work hours. * advise family members or friends that this is the expectation of your employer and respectfully ask that they do not contact you while you are at work. |

**Photography and Videos**

Working with children and young people may involve the taking or recording of images. Parental permission is required for this in every case and additional permission should be sought where the images are to be published, for example in a school newsletter – on the school website or in an exhibition of any kind. It is essential to treat all images of children as confidential.

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| **This means that adults should:** | **This means that adults should not:** |
| * be clear about the purpose of the activity and about what will happen to the images when the activity is concluded; * be able to justify images of children in their possession; * ensure the child/young person understands why the images are being taken and has agreed to the activity and that they are appropriately dressed; * only use equipment provided or authorised by the organisation; * report any concerns about any inappropriate or intrusive photographs found; * always ensure they have recorded parental permission to take and/or display photographs or make video recordings. | * make images in one to one situations or which show a single child with no surrounding context; * display or distribute images of children unless they have recorded consent to do so from parents/carers; * use images which may cause distress; * use mobile telephones (personal or work) to take images of children; * use any personal photography equipment to take images/record video of children * take images ‘in secret’, or in situations that may be construed as being secretive. |

**Access to Inappropriate Images and Internet Usage**

There are no circumstances that will justify adults possessing indecent images of children. Adults who access and possess links to such websites will be viewed as a significant and potential threat to children. Accessing, making and storing indecent images of children on the internet is illegal. This will lead to criminal investigation and the individual being barred from working with children and young people, if proven.

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| **This means that adults should:** |
| * follow the LA’s guidance on the use of IT equipment [ICT Acceptable Use Policy (.pdf format, 148 Kb)](http://portal.oxfordshire.gov.uk/content/public/corporate/Governance/GovConnect/01ICTAcceptableUsePolicy.pdf) * ensure that children are not exposed to unsuitable material on the internet * ensure that any films or material shown to children and young people are age appropriate |

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**APPENDIX 1 – Confidentiality Agreement**

Whether you are a permanent or temporary employee of the council, a consultant or a casual or agency worker, you are likely to have access to sensitive information. Information is deemed sensitive if it is either of a personal nature, is commercially sensitive, or where its' disclosure would be problematic for the council or the person who is the subject of the data.

You may have access to sensitive information through records or reports, either on a computer system or in hard copy, or you may overhear comments. This information may or may not be connected with your specific duties.

You must treat all such information as strictly confidential and you must not discuss anything you learn with anyone who does not have a need to know. If you do not need to access such information in the first place, **don’t** - even if you have physical access via, for instance, a staff or client database – as doing so may be regarded as an offence if you do not have a need to know.

Our service users and employees must be confident that their personal information will not be released to anyone outside the council unless:

* an agreement is in place to share information with other organisations we work with.
* there is a legal requirement to do so.
* it has been assessed that an individual poses a risk to the physical safety of others and those at risk need to be informed. This could include other workers, partner agencies, carers or members of the public.
* where there are safeguarding concerns and someone's life may be at risk.
* the person whose information is being shared has given their consent.  If you are in any doubt about whether you can or should disclose something speak to your manager immediately and read the Data Protection Policy. Search under *Information Management* on the council's intranet.  You are expected to maintain the confidentiality and security of information and to take all necessary steps to ensure this happens. You may be personally legally liable for any breach of confidentiality and also subject to disciplinary action. For agency and casual workers, your engagement will be terminated. Electronic systems can provide evidence of unauthorised access.

**Please note:** The above restrictions continue to apply even after your work for the County Council has finished.

**Signed employee Date**