



MEDINA HOUSE SCHOOL- CODE OF CONDUCT AND GUIDELINES FOR SAFE WORKING PRACTICES FOR THE PROTECTION OF CHILDREN AND STAFF

1. Introduction

1.1 The Members of the Governing Board of Medina House School have a legal duty under section 175 of the Education Act 2002 to safeguard and promote the welfare of pupils by creating and maintaining a safe learning environment.

1.2 In this regard, all Medina House School staff have a duty to keep children and young people safe and protect them from harm. Staff must ensure that they do not put themselves in situations in which allegations of abuse or inappropriate behaviour could be made.

1.3 The Public are also entitled to expect the highest standards of conduct from school staff, Governors and volunteers and to have trust and confidence in their integrity.

1.4 All adults working in Medina House School must therefore act with the utmost good faith with regard to the business of the school and not do anything, which may adversely affect its reputation.

1.5 The following Code has been drawn up with a view to reducing the risk of staff being accused of improper or unprofessional conduct in all aspects of their work.

It aims to help staff work safely and professionally and clarify what behaviour constitutes safe practice and what is unacceptable and/or illegal.

1.6 The Code refers closely to the IRSC Guidance for Safe Working Practice for the Protection of Children and Staff in Education Settings (March 2009) and has been agreed following consultation with the recognised trades unions.

1.7 The Governing Board have a legal duty under the Counter Terrorism and Security Act 2015 to have due regard to promote the Prevent Duty:

- **Democracy** – respect for democracy and support for participation in the democratic process
- **The rule of law** – respect for the basis in which the law is made and applies in England
- **Individual liberty** – support for equality of opportunity for all
- **Mutual respect and tolerance of those with different faiths and beliefs** – respect for and tolerance of different faiths and religions and other beliefs

2. Scope

2.1 The Code applies to all adults working in schools whatever their position, roles or responsibilities and is therefore aimed at all school-based staff, volunteers and governors

2.2 The Code is predominantly geared towards safe working practices for the protection of children and in this connection must be read in conjunction with Medina House School Child Protection Policy. However, the Code also encompasses other general aspects of conduct expected within Medina House School.

2.3 The Code cannot cover every eventuality. Its purpose is to show the standard expected of employees, but it does not replace the general requirements of the law.

2.4 In respect of teachers specifically, the Code supplements the Teachers' Standards. The Teachers' Standards came into effect on 1 September 2012, on which date they became the 'specified standards' as defined in Schedule 2 of The Education (School Teachers' Qualifications) (England) Regulations 2003.

2.5 The Code is recommended to all school Governing Bodies for adoption. (In the case of school federations, it is recommended to the federation's Governing Body).

2.6 The Local Authority will not accept liability for any actions, claims, costs or expenses arising out of a school's decision not to follow these recommended guidelines, where it is found that the school's governing body has been negligent or has acted in an unfair or discriminatory manner.

3. General obligations

Staff must understand the responsibilities that are an intrinsic part of their employment or role. They must make a professional judgement about their actions and behaviour and seek to avoid conduct, which would lead any reasonable person to question their motivation or intentions.

If there is an incident where staff feel there may be a concern, they must discuss the circumstances that informed their action, or their proposed action with a senior colleague, to help ensure that the safest practices are employed and the risk of actions being misinterpreted reduced.

Records must be made of any incidents and decisions made or further actions agreed, with their justifications, in accordance with school policy.

All staff must know the designated person for child protection, be familiar with child protection arrangements and understand their responsibilities to safeguard and protect children and young people. Staff should understand their responsibility to voice any general concerns that they might have about practice within the school, in accordance with the Medina House School Whistle Blowing policy and must also be aware of and comply with Medina House School financial and administrative regulations and any other procedure manuals such as the personnel handbook.

Unlawful, unsafe or inappropriate behaviour may result in disciplinary action being taken.

All staff and the Governing Body have a duty to promote the Counter Terrorism and Security Act 2015 to keep children and their families safe and prevent any risk of radicalisation.

The Code of Conduct will be applied equally to all those who work, learn, visit or work under contract arrangements as required by the Equality Act 2010.

4. Good practice guidelines

The following Code and guidelines set out specific areas of conduct and behaviour that constitute expected and safe practice.

If staff are in any doubt about any aspect of this guidance or need to seek further clarification about a particular situation in the absence of specific guidance, they are advised to speak to a senior manager within Medina House School.

4.1. Propriety and Behaviour

4.1.1 All adults working with children and young people are in a position of trust in relation to the individuals in their care. Staff are expected to adopt high standards of personal integrity and conduct and behave in such a way that does not compromise their position both within or outside Medina House School.

4.1.2 The Teaching Standards also sets out the minimum professional standards for the Code of Conduct 2009, regulation of the teaching profession and recognises that 'professionalism involves using judgement over appropriate standards of personal behaviour'.

Staff must not:

- behave in a manner, which would lead any reasonable person to question their suitability to work with children or act as a role model;
- use their power to intimidate, threaten, coerce or undermine pupils;
- make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate other individuals or might be interpreted as such.

4.2 Confidentiality and Information disclosure

4.2.1 Staff must not use any information obtained in the course of their duties to the detriment of Medina House School or for personal gain or benefit or pass this information on to others who might use it in such a way.

4.2.2 Staff must also take all reasonable steps to ensure that the loss, destruction, inaccuracy or disclosure of information does not occur as a result of their actions, including information relating to school business and pupil data.

4.2.3 There are some circumstances in which staff may be expected to share information about a child, for example, when child protection issues arise. In such cases staff have a duty to pass information on without delay in line with local procedures. [Please see Child Protection and Safeguarding Policy](#). If staff are in any doubt about whether to share information or keep it confidential they must seek guidance from a person with designated child protection responsibilities.

Staff must not use their position to gain access to information for their own advantage or to intimidate, humiliate or embarrass a child. Staff are expected to treat any information they receive about children and young people in a discreet and confidential manner. Staff need to be cautious when passing on information to others about a child/young person and if in any doubt about sharing information, seek the advice of a member of staff with designated child protection responsibilities.

4.3 Equality issues

4.3.1 All staff must adhere to the Medina House School Equal Opportunities Policy, in addition to the requirements of the law, under the Equality Act 2010 and the Public Sector Equality Duties to, eliminate discrimination, promote equality of opportunity and foster good relations both within and the wider school community.

Staff must not discriminate in recruitment and employment practices, nor in the delivery of services.

Staff must also ensure that in their dealings with parents and other members of the public, they ensure the provision of an efficient and impartial delivery to all individuals.

4.4 Employment matters

4.4.1 All staff involved in appointments and/or tendering process must ensure that these are made on the basis of merit.

Staff should not be involved in an appointment or decisions relating to discipline, promotion or pay adjustments for any individual who is a relative or with whom they are in a close personal relationship.

All relationships of a business or private nature with external contractors, or potential contractors must be made known to the Headteacher.

4.5 Public duty and private interest

4.5.1 It is important that staff do not put themselves in a position where their duty to Medina House School and their private interests conflict. e.g giving personal phone numbers to parents and or engaging in dialogue re pupils known outside school (e.g. via direct payment)

Staff must not allow their own personal or political opinions to interfere with their work and the provision of a balanced and professional service, ensuring that they work to the professional standard required.

4.6 Other employment/private work

4.6.1 Any external work that staff undertake must not bring Medina House School into disrepute or conflict with the school's interest.

4.6.2 Any copyright created by a member of staff during their employment with Medina House School becomes the property of the school/ LA as appropriate.

Staff must not set up a business or accept employment with a business that is engaged in work, which is in direct competition with Medina House School.

Private work must not be undertaken in the school's time, or using the schools premises or equipment, without prior approval of the Headteacher.

4.7 Dress and Appearance

4.7.1 Staff must ensure that they are dressed decently, safely and appropriately for the tasks that they undertake and that through their appearance, they promote a positive and professional image (See Dress Code Policy).

4.8 Financial inducements, gifts, hospitality and sponsorship

4.8.1 Staff must ensure that they use public funds entrusted to them in a responsible and lawful manner and that they do not give or receive any gift, loan, fee, reward or advantage, which might be misinterpreted.

4.8.2 Although staff should not give or receive gifts from pupils or parents on a regular basis or of any significant value, it is acceptable however for staff to receive small tokens of appreciation, such as at Christmas time.

Staff must not seek or receive preferential rates for themselves by virtue of their dealings on behalf of the school;

Staff must ensure that gifts (others than those covered by paragraph 4.8.2) are declared if they are received.

Individual Staff must not give gifts to an individual young person.

Any gifts given to children e.g. at Christmas or when they leave Medina House School will be within agreed protocols by LMT and will be from the School or Class concerned rather than from an individual member of staff.

4.9 Use of School Time and Facilities

4.9.1 The School's property and facilities (e.g. stationery, computers, photocopiers) may only be used for school business unless permission for their private use has been granted.

4.10 Publication of Books/Articles

4.10.1 If staff want to publish books, articles, letters, dissertations etc that they have written in connection with their duties and in which they describe themselves as holding an appointment with the school they must consult the Headteacher.

Staff must speak to the Headteacher if they wish to publish books, articles, letters, dissertations etc, which have been written in connection with their duties and their role within Medina House School.

4.11 Infatuations

4.11.1 In cases where a young person develops an infatuation, there is a high risk of words or actions being misinterpreted and for allegations to be made against staff.

Staff must report to a senior colleague any clear/apparent indications (whether they are verbal, written or physical), that suggest a pupil may be infatuated with them and respond sensitively to such situations in order to maintain the dignity of all parties.

4.12 Social contact

4.12.1 Staff must not establish or seek to establish social contact with pupils to secure or strengthen a friendship. This includes giving any personal details to a pupil such as a home/mobile phone number, home or email address. Staff **must not** accept pupils as friends on social media.

Do not give out personal details such as home/mobile numbers, home address or e-mail address to pupils.

Staff must advise senior management of any regular social contact they have with a pupil, where it is apparent that it may give rise to a concern.

4.13 Physical contact

4.13.1 It is unrealistic to suggest that teachers should never touch pupils. There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, such as when a distressed pupil needs comfort and reassurance or as an integral part of some lessons such as PE and music.

4.13.2 However, innocent actions and appropriate physical contact can often be misconstrued and it is therefore crucial that staff only initiate physical contact for the minimum time necessary and in ways appropriate to their own role and the needs of the child and in line with other relevant policies e.g intimate care.

4.13.3 Staff should use their professional judgement at all times. Where feasible, staff should seek the child's permission before initiating contact. Where a member of staff thinks that an incident could have been misinterpreted it should be reported to the headteacher.

4.13.4 Any formally agreed plan for children with physical disabilities should be understood and agreed by all concerned and staff should be provided with relevant information about vulnerable pupils in their care where it is relevant for this to be provided in order for staff to be able to undertake tasks appropriately.

4.13.5 Extra caution may also be required where it is known that a child has suffered previous abuse or neglect. Many such children are often needy and seek out inappropriate contact, thereby leading staff to be vulnerable to allegations of abuse. In this regard, staff must:

- 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, always explain to a pupil the reason why contact is necessary and what form that contact will take. Look at alternatives, where it is anticipated that a pupil might misinterpret contact and consider involving another member of staff, or a less vulnerable pupil in a demonstration.

Always tell a colleague when and how they offered comfort to a distressed child and record any situations, where they think they may give rise to concern. Adhere to the school's physical intervention policy and be acquainted with DfE Guidance in respect of physical contact with pupils and meeting the medical needs of children and young people in school.

[Please see Child Protection and Safeguarding, Intimate Care and Allegations of Abuse Against Staff Policy](#)

4.14 Showers and Changing

4.14.1 Children are entitled to respect and privacy when changing clothes or taking a shower.

4.14.2 However, there does need to be an appropriate level of supervision to safeguard young people and satisfy health and safety considerations. Any supervision must therefore be appropriate to the needs and age of the young people concerned.

Staff should avoid any physical contact when children are in a state of undress or any visually intrusive behaviour where there are changing rooms; staff should announce their intention of entering a changing room and avoid remaining in the room unless pupil needs require it; staff must not change in the same place as or shower with children.

[See Intimate Care Policy](#)

4.15 Behaviour management and physical intervention

4.15.1 Corporal punishment is unlawful in all schools and physical force must never be used as a form of punishment; to do so is likely to constitute a criminal offence.

4.15.2 However in some circumstances, staff in schools have the right to use physical intervention/reasonable force for the shortest period necessary to control or restrain pupils. The Education and Inspections Act 2006 provides the legal power for school staff to use reasonable force to prevent pupils from committing a crime or causing injury, damage or disruption.

Staff should try to defuse situations before they escalate.

Staff must keep parents informed of any sanctions.

Staff must adhere to Medina House School policies on Behaviour Management and Physical Intervention (Maybo Training). Where it is identified that staff are likely to have to restrain on a regular basis they should have received appropriate training.

[See Behaviour and Restraint Policy](#)

4.16 Sexual contact with children and curriculum issues

4.16.1 It is a criminal offence for any adult in a position of trust to engage in any form of sexual activity with a young person under 18, even with their consent (Sexual Offences Act 2003). This also includes non-contact activities such as causing children to engage in or watch sexual activity.

4.16.2 There may be occasions when, as part of the curriculum, a teacher has to raise subject matter that is sexually explicit. In such situations, any lesson plan should highlight the areas of risk and sensitivity. Staff should respond to questions with careful judgement and avoid entering into inappropriate or offensive discussions about sexual activity. At Medina House School before any SRE is undertaken, parental permission will be gained.

4.17 One to one situations

4.17.1 When staff work regularly on an individual basis with children, they are generally more vulnerable to allegations. Where there are known increased risks/vulnerabilities, these will be reflected in control measures/individual risk assessments which **must** be adhered to.

4.17.2 To avoid such situations arising meetings should, wherever possible, be arranged so that staff are visible and/or audible and not in secluded areas of the school.

4.17.3 Staff must not arrange to meet a pupil away from the school premises without good reason, but if this is necessary, only with the expressed approval of parents and Headteacher.

4.18 Transporting children

4.18.1 In such cases where children need to be transported between different locations, a designated member of staff must be appointed to plan and provide oversight of all arrangements.

4.18.2 Wherever practicable, an adult additional to the driver should act as an escort and all arrangements agreed with relevant parties in advance.

All staff:

- should avoid using private vehicles wherever possible;
 - should ensure LMT and parents have given permission for this to happen.
- must ensure that they have the appropriate insurance (for business use) where they do have to use their private vehicle;
- should ensure that they are alone with a child for the minimum time possible;
- must be aware that the safety and welfare of the child is their responsibility until this is safely passed over to a parent/carer;
- must report the nature of the journey, the route and expected time of arrival in accordance with agreed procedures;
- must ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety, taking into account any specific needs that the child may have.

[Please see Lone Worker Policy and Allegations of Abuse Against Staff Policy](#)

4.19 Educational visits and after school clubs

4.19.1 Staff must always have another adult present during out of school activities, unless otherwise agreed with the Headteacher. Health and safety requirements should be strictly adhered to.

4.19.2 Staff must ensure that they display professional behaviour during activities that take place off the school site and ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship. Staff should therefore maintain a professional relationship with pupils at all times.

4.19.3 Where out of school activities include overnight stays, particular consideration must be given to sleeping arrangements, if applicable (ie. In line with individual risk assessments and needs) and pupils, staff and parents informed of the arrangements in advance. With some children at Medina House, such activities will require staff to provide supervision at all times including through the night to ensure their safety. In such a case, risk assessments will be carried out and parental permission will be sought for the proposed arrangements.

4.20 First aid and administration of medication

4.20.1 In cases where first aid or medication needs to be administered, all staff must adhere to [Medina House School Health and Safety and Administration of Medication Policy](#)

4.20.2 A health care plan will be drawn up in circumstances where the child needs to take regular medication and any such agreement between the child, parents/carers and the school must be negotiated, agreed and recorded. At Medina House, the school Nurse is responsible for such arrangements.

4.21 Intimate Care

4.21.1 All children have a right to safety, privacy and dignity when contact of an intimate nature is required. A manual handling risk assessment should be drawn up and agreed with parents for all children, who require intimate care on a regular basis. In this regard staff must adhere to the school's intimate care guidelines, make other staff aware of the task being undertaken, explain to the child what is happening. Consult with colleagues where any variation from the agreed procedure or care plan is necessary and record the justification, sharing the information with parents.

[See Intimate Care Policy](#)

4.22 Photography, videos and other creative arts

4.22.1 Many Medina House School activities involve recording images, but the use of such images needs careful consideration and handling. In particular, children who may have been abused in this way may feel threatened by the use of photography and filming.

4.22.2 The use of any images of children for publicity purposes will also require the appropriate consent of the individual concerned and their legal guardians. Staff must therefore: be clear about the purpose of the activity and about what will happen to the photographs when the lesson or activity is concluded. Staff must ensure consent is gained from the pupil and their legal guardians where being used for publicity purposes.

Ensure that all images are available for scrutiny in order to screen for acceptability; be able to justify images of children in their possession; **never** use mobile phones to take images.

4.23 Internet use

4.23.1 Accessing child pornography or indecent images of children on the computer is illegal. Under no circumstances must adults in schools access inappropriate images on the internet. The same rule applies to the use of the school's equipment by members of staff at home, e.g. use of laptops. Staff must follow the school policy on the use of IT equipment.

Date Approved by Governors:

Signed : Matt Atkins
Chair of Governors

Date to be reviewed: February 2020

Staff declaration of receipt

I confirm that I have read the Code of Conduct and Guidelines for Safe Working Practice and understand that any unlawful or unsafe behaviour could lead to appropriate legal or disciplinary action being taken.

Name: (please print):

Signature: Date:

Please return this slip to the Headteacher as soon as possible

Code of Conduct 2019

Further reference documents

- Guidance for Safe Working Practice for the Protection of Children and Staff in Education Settings, produced by The National Network of Investigation and Referral Support Co-ordinators, February 2005
- School Whistle-blowing Policy
 - This policy provides the framework by which staff can voice their concerns in good faith about practice within the school, without fear of repercussion and in accordance with the Public Interest Disclosure Act 1998.
- Dealing with allegations of abuse against members of staff and volunteers
 - Aims to ensure that any allegations are dealt with fairly, consistently and quickly and in a way that provides protection for the child, whilst supporting the person who is the subject of the allegation.
- Education and Inspections Act 2006
 - Forbids corporal punishment, but allows all teachers to use reasonable force to prevent a pupil from committing a criminal offence, injuring themselves or others, damaging property, acting in a way that is counter to maintaining good order and discipline at the school.
 - Also provides legal right to confiscate items such as mobile phones and music players.
- Violent Crime Reduction Act 2006
 - Allows headteachers (or other school staff who have been authorised by the headteacher) to undertake searches of pupils where they suspect they are carrying a knife or other offensive weapon).
- GTC Code of Conduct and Practice for Registered Teacher
 - setting the minimum standards for the regulation of the profession.
- What to Do if you are Worried that a child is Being Abused. Department of Health, December 2006.
- School Policies -Behaviour Management, Physical Intervention, Intimate Care, Health and Safety, Dress Code, Administration of Medicine
- Child Protection and Safeguarding Policy

Education Act 2002 (section 175)

Schools should exercise their functions with a view to safeguarding and promoting the welfare of children.

Children Act 1989

Recognises that the identification and investigation of child abuse together with the protection and support of victims requires multi-agency collaboration

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Children Act 2004

Duty on all agencies to make arrangements to safeguard and promote the welfare of children.

Public Interest Disclosure Act 1998

Gives legislative protection for 'whistle blowers' where there is a qualifying disclosure.

Sexual Offences Act 2003

A criminal offence for any adult in a position of trust to engage in any form of sexual activity with a young person under 18, even with their consent.