



Truro and Penwith **Academy Trust**

Staff Professional Code of Conduct - Good Practice Guidelines for all Staff

1 INTRODUCTION

- 1.1** Truro and Penwith Academy Trust expects high standards and professional behaviours from staff at all time. All staff should be aware of the Professional Code of Conduct and at all times use them as guidelines.
- 1.2** These guidelines are designed to protect staff from misunderstandings in their professional relationships and from allegations that might arise as a consequence.
- 1.3** Any relationship between staff, students, suppliers or any other stakeholder that may potentially bring the Trust into disrepute, must be notified to the respective line manager with immediate effect.
- 1.4** These guidelines should be read in conjunction with associated documents including the Disciplinary and Grievance Procedures. Failure to comply with 1.3 above will lead to an investigative/ disciplinary hearing that may lead to dismissal.

2 CONSENSUAL RELATIONSHIPS

- 2.1** The Trust values good professional relationships between staff and Students. These are heavily reliant on mutual trust and confidence, and can be jeopardised when a member of staff enters into any relationship with a student which is deemed to be inappropriate. Inappropriate relationships can erode professionalism and result in an abuse of power.
- 2.2** Staff must not enter into any relationship or indulge in any behaviour with a pupil which is likely to bring the Trust into disrepute. In particular, sexual relationships with Students are expressly prohibited and, if proven to be taking place, will be treated as gross misconduct.

3. RELATIONSHIPS BETWEEN MEMBERS OF STAFF

- 3.1** Where relationships occur between members of staff, it is in their interests and the Academy's to ensure they deal appropriately with potential conflicts of interest or possible disruption to working arrangements with colleagues or Students. Broadly, members of staff should not engage in any behaviour which is likely to bring the Trust into disrepute or have a serious adverse effect on peer activities, student tuition, pastoral matters, or other aspects of Trust life.
- 3.2** Some types of activity could be actionable within the Academy's Disciplinary Procedure. It is also conceivable that peers or subordinates could implement the Grievance Procedure against individual members of staff, if they felt disadvantaged by the consequences of inappropriate behaviour.

4. GENERAL ISSUES - GUIDELINE TO INAPPROPRIATE BEHAVIOUR

- 4.1** The issues listed below must be brought to the attention of any new teacher and all staff should be reminded of these issues. Staff should also take note of the Safeguarding Appendix – Safe Working Practices, found later in this document. This will ensure that all staff involved in the provision of teaching and learning are clear about boundaries and expectations.
- 4.2** Language - staff should refrain from using inappropriate, foul and abusive language. This type of language used in an aggressive, insulting or offensive manner will lead to disciplinary action.
- 4.3** Avoid physical contact - even what is meant as a comforting gesture can be misconstrued.
- 4.4** Home telephone numbers – you should not give your home telephone number to Students.
- 4.5** Favouritism – it is important to be seen to treat all Students consistently and with equity. Avoid circumstances where it might appear that you are giving anyone undue attention. This does not mean that you cannot give extra time to a pupil where the situation merits it.
- 4.6** Tutorials and other one-to-one contact tutorials should always be on Trust premises or, in the case of offsite learners, at a venue that has been pre-agreed and notified to the line manager. Apart from the fact that staff could be laying themselves open to the possibility of false allegations, there are insurance issues to consider. Residential trips are an obvious exception to this and where they are concerned, you are advised to follow the same guidelines as those shown below for any one-to-one meetings.
- Make sure that a colleague knows when you are carrying out one-to-one sessions. A list of dates, times and names on the door of the room makes an obvious public statement.
 - Where possible, carry out one-to-one sessions with the door open.
 - If this is not appropriate, perhaps because the pupil is distressed, or the matter being discussed is confidential, it is especially important to make sure a colleague knows that the session is taking place and/or to put a notice on the door.
 - Where you are having an “emergency” tutorial with a student and it may not be possible to notify a colleague, put a notice on the door indicating that a tutorial is taking place.

5. BOUNDARIES

- 5.1** Tutoring – good tutoring, like good counselling, is about listening to the learner and not talking about your own experiences. Personal disclosures are inappropriate and may wrongly be taken to imply intimacy. Tutors sometimes feel that sharing common experiences is helpful, but – “I know how you feel, when I was at school I had difficulty meeting deadlines” or “I understand what you are going through, I had a sick parent myself”, are inappropriate.
- 5.2** Best practice in counselling/tutoring is to aim for empathetic listening without such disclosures as they tend to move the focus from the learner to the tutor. At times it is appropriate to ask questions, but not of the kind which the learner might perceive as “prying”. Learners have a right to privacy.
- 5.3** There will be times when a pupil has personal problems which are significant and may prevent the learning experience from being valuable or even attainable by the student. When this type of situation occurs i.e. a serious problem for which the pupil actively seeks help, you should make your line manager and Designated Safeguarding Lead / Child Protection Officer aware, as appropriate.

6. YOU AND THE LAW/COMPLAINTS

- 6.1** Members of staff should not knowingly be party to learners under 18 drinking and/or purchasing alcohol on licensed premises.
- 6.2** The legal implications of any activity need to be taken into account. As a member of staff, you can be open to a variety of allegations/complaints. To avoid this, bear the advice in these guidelines in mind. For the same reason keep records of tutorials and other key meetings.
- 6.3** If you are concerned about any of the issues raised here, or want to discuss a particular situation, please contact your Headteacher or line manager.

7. CONSEQUENCES OF ALLEGATIONS AGAINST STAFF

- 7.1** The Trust has a duty of care to its member of staff and also has clearly defined responsibilities to its Students. As expressed in the early part of these guidelines, the introduction of younger Students to secondary education has an implication for staff conduct.
- 7.2** Otherwise, allegations against staff may result in the use of the Disciplinary Procedure and/or other related procedures as shown above in 1.4.
- 7.3** The possibility of procedures being specifically activated in response to complaints or allegations will be dependent on the nature of the complaint and the way it is presented.
- 7.4** If an allegation is made by a pupil without reference to a specific Trust procedure or process, then in the first instance it will be investigated by the Headteacher and the immediate line manager who manages the member of staff. If any of the above are implicated in the complaint alternative investigating officers will be appointed.
- 7.5** The member of staff against whom the complaint is made will be presented with full details of the complaint made, and will be barred from any contact with the pupil while the investigation continues. The investigating officers will be responsible for deciding whether there is a complaint to answer and what the remedy, if proven, will be. This may include disciplinary action if appropriate.
- 7.6** The establishment of an investigation team on this basis is designed to protect the interests of the member of staff as well as the Academy's position and the student's rights. Therefore, all statutory obligations to member of staff will be safeguarded and there will be no presumption of guilt or of an act of commission or omission that might jeopardise the member of staff or the Trust position. The duty of care the Trust has to the member of staff will be a prime feature of the conduct of the investigation, as will the obligations the Trust has towards its Students.

8. GIFTS AND CORPORATE HOSPITALITY

- 8.1** Members of staff should familiarise themselves with the policies relating to gifts and hospitality within the Trust Anti-Fraud and Corruption Policy and the Trust Anti-Bribery Policy.

9. PROFESSIONAL AND SOCIAL NETWORKS

- 9.1** It is essential that Trust Staff who use professional and social network services such as Facebook, Twitter, LinkedIn or similar do so in a way that protects staff and Students. Staff must be aware that

interactions with Students through professional and social networks are subject to the same need to have regard to safeguarding as any other interaction, and, subject to the same need to behave in such a way as not to bring the Trust into disrepute.

- 9.2** Trust staff must not offer or accept Facebook/social network friendship requests on their personal accounts from current Students, or, ex-Students who are under 18 or vulnerable adults.
- 9.3** The guidelines in 9.1 and 9.2 above and other guidelines within the Staff Professional Code of Conduct should be read in conjunction with the Trust Social Media Policy and the Prevent Policy.

Safeguarding Appendix – Safe Working Practices

Underpinning Principles

- The welfare of the young person is paramount.
- You have a responsibility to safeguard and promote the welfare of young people. Failure to do so may be regarded as neglect.
- You should always be seen to work in an open and transparent way.
- You should always apply the same professional standards regardless of culture, disability, gender, language, race, religious belief and / or sexual identity.

Professional Judgement

This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour in all circumstances. There may be occasions or circumstances where you feel that you have to take decisions or actions in the best interest of the young person which contravene this guidance or where no specific guidance exists. If so:

- You should always consider whether your actions are warranted, proportionate and safe and applied equitably.
- You should always record your judgements and share it with your manager.

Confidentiality

As part of your role you may be given or have access to highly sensitive or private information about a young person. This information should be kept confidential at all times and only shared when it is in the interests of the young person to do so. Accordingly:

- You must not use this information to intimidate, humiliate or embarrass the young person.
- In the event of receiving a disclosure of a safeguarding nature, you should not promise to keep the information confidential.
- Where possible, seek the consent of the young person before passing on confidential information.
- If you are in doubt about whether a confidence should be passed on, seek guidance from a Senco, Safeguarding Officer or your manager.

Power and Position of Trust

By virtue of your role at the Trust you will be viewed as occupying a position of trust in relation to Students, particularly young people. This cannot be a relationship between equals, and you have a responsibility to ensure that this unequal balance of power is not used for personal advantage or gratification. Accordingly:

- You should not use your position to intimidate, bully, humiliate, threaten, coerce or undermine young people.
- You must not use your status to form or promote relationships which are of a sexual nature, or which may become so.

Propriety and Behaviour

All adults working with young people have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of Students. It is therefore expected that they will adopt high standards of personal conduct. If actions in their personal life come under scrutiny from local communities, the media or public authorities, this may compromise their position in the workplace or indicate an

unsuitability to work with young people (e.g. where misuse of drugs or alcohol or acts of violence are concerned). Accordingly:

- You should understand and be aware that you should use judgement and integrity about behaviours in places other than just your work setting.
- You should not behave in a manner which would lead any reasonable person to question your suitability to work with young people.
- You should not behave in a manner which would be contrary to the guidelines contained in the Prevent Policy and should report to the Safeguarding Lead any concerns about the radicalisation of Students or staff or any instances of extremism, in line with the Prevent Policy.

Dress and Appearance

Dress and appearance are matters of personal choice and self-expression. However, it is important to dress in ways that are appropriate to role and to tasks undertaken. Those who dress in a manner which could be considered inappropriate could render themselves vulnerable to criticisms or allegations. Accordingly:

- You should not wear clothing which is likely to be viewed as offensive, revealing, or sexually provocative.
- You should not wear clothing which is likely to distract, cause embarrassment or give rise to misunderstanding.
- You should not wear clothing which has overtly political or otherwise contentious slogans.

Personal Living Space

No young person should be invited into the home of a member of staff unless reason for this has been firmly established with a senior manager at the Trust and the parent/carer. Accordingly:

- You are responsible for being vigilant in maintaining your privacy and avoiding placing yourself in a vulnerable situation.

Gifts, Rewards and Favouritism

The giving of gifts or rewards to young people should always fall under the academy's arrangements for supporting positive behaviour or recognising particular achievements. Methods and criteria for selection should always be transparent and subject to scrutiny. Care should also be taken to ensure that you do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment. Accordingly:

- In general, you should only give gifts to an individual young person as part of an agreed reward system.
- You should try to ensure that all selection processes concerning young people are fair and wherever practical involve other members of staff.

Infatuations

Occasionally a young person may develop an infatuation with an adult who works with them. Such infatuations need to be dealt with sensitively but do carry a high risk of words or actions being misinterpreted. Accordingly:

- You should report to your manager any indications (verbal, written or physical) that suggest that a young person has developed an infatuation with you / another member of staff.
- You should always acknowledge and maintain professional boundaries.

Communication with young people

Communication with young people 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, web cams, personal websites and social networking sites. Accordingly:

- You should not give your personal contact details, including your mobile phone number, to a young person unless the need to do so is appropriate to your professional role and has been discussed with your manager.
- You should only use Trust equipment (including mobile phones) for professional reasons.
- You should not use internet based social networking sites or forums to send personal messages to a young person.
- You should report to the Safeguarding Lead any concerns about the radicalisation of Students or staff or any instances of extremism, in line with the Prevent Policy.

Photographs

- Photographs or moving images may be taken of Students only if justified as relevant / necessary to their course or school events/activities.
- Consent must be obtained from parents before displaying such images.
- Images should not be stored after their reproduction for display purposes.
- Images should not be posted onto personal or social media websites.

Social Contact

Adults who work with young people should not seek to have social contact with them or their families unless there is a clear professional justification for this. Where this may be the case staff should take care to maintain appropriate personal and professional boundaries. This also applies to social contact made through interests outside of work or through your own family or personal networks. Accordingly:

- You should have no secret social contact with young people.
- You should consider the appropriateness of any social contact and ensure that any planned social contact is discussed with your manager.

Sexual Contact

Intimate or sexual relationships between staff and young people will be regarded as a grave breach of trust. Any sexual activity between a member of staff and a young person may be regarded as a criminal offence and will always be a matter for disciplinary action. Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable. Sexual activity does not just involve physical contact, it includes penetrative and non-penetrative acts. It may also include causing young people to engage in or watch sexual activity or the production of pornographic material. Accordingly:

- You must not have sexual relationships with a young person.
- You should not have any form of communication with a young person which could be interpreted as sexually suggestive or provocative, i.e. verbal comments, letters, notes, e-mails, texts, phone calls or physical contact.
- You should not make sexual remarks to or about a young person.
- You should not discuss your own sexual relationships with or in the presence of young people.

Physical Contact and Intervention

In general staff should avoid physical contact with young people, unless such contact is clearly linked to a professional role and within parameters of established and agreed protocols, e.g. sports activities or medical procedures.

If physical contact is required, it should never be secretive and should take place in a safe and open environment. In the context of challenging behaviour on the part of a young person, physical intervention should only be used in exceptional circumstances, if it is necessary to prevent personal injury to the young person, or to others, and be proportionate.

Accordingly:

- You should not touch a young person unless clearly linked to a professional role and deemed necessary for health, safety and wellbeing reasons.
- You should understand that physical contact in some circumstances can be easily misinterpreted.
- You should always try to defuse situations before they escalate.
- You should report as soon as possible after the event any incident where physical intervention has been used.