



Belmont School Staff Behaviour (including Code of Conduct) and Whistleblowing Policy

- 1.1 It is important that all staff working with children understand that the nature of their role, and the responsibilities related to it, place them in a position of trust. This policy provides clear guidelines on appropriate and safe behaviours for all staff working at Belmont School.
- 1.2 The policy aims to:
 - keep children safe by clarifying which behaviours constitute safe practice and which behaviours should be avoided including the use of social media;
 - assist staff working with children to work safely and responsibly and to monitor their own standards and practice;
 - support the management of the school in setting clear expectations of behaviour;
 - give a clear message that unlawful or unsafe behaviour is unacceptable and that where appropriate, disciplinary or legal action will be taken;
 - support safer recruitment practice;
 - minimise the risk of misplaced or malicious allegations made against staff who work at Belmont;
 - reduce the incidences of positions of trust being abused or misused.
- 1.3 All Belmont staff should be familiar with the school's "*Safeguarding - Child Protection Policy including EYFS*", including the procedures for managing allegations against staff.

2 Underpinning Principle

- 2.1 The welfare of the child is paramount.
- 2.2 It is the responsibility of all staff to safeguard and promote the welfare of pupils.
- 2.3 Staff who work with children are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- 2.4 Staff should work and be seen to work in an open and transparent way.
- 2.5 The same professional standards should always be applied regardless of the protected characteristics under the Equality Acts 2010 including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation or any of the protected characteristics.
- 2.6 Staff should continually monitor and renew their practice and ensure that they follow the guidance contained in this document and other relevant policies including the Acceptable Use agreement contained within the Online Safety Policy and procedures.

3 Compliance with the Code of Conduct

- 3.1 The Code of Conduct forms part of an employee's contract. Failure to comply with it and the associated school policies (see Required Reading) may result in disciplinary action being taken and the school reserves the right to take legal action against staff where breaches of the Code warrant such action.

4 Professional Behaviour and Conduct

Treating Other People with Dignity and Respect

- 4.1 All staff are expected to treat other colleagues, pupils and external contacts, such as parents, with dignity and respect.
- 4.2 Unacceptable behaviour such as discrimination, bullying, harassment or intimidation will not be tolerated at Belmont. This includes physical and verbal abuse and use of inappropriate language or unprofessional behaviour with colleagues, pupils and parents.

5 Appropriate Relationships and Communications with Children

- 5.1 Belmont staff are expected to behave in an open and transparent way that would not lead any reasonable person to suspect their actions or intent. Belmont staff are in a position of trust and have a duty to protect young people from discrimination and harm and to maintain appropriate professional boundaries. It is equally important for staff to avoid behaviour that might be misinterpreted by others in order to protect young people and themselves. Staff are required to read and understand school policies on child protection, safeguarding and online safety.

6 Professional Behaviour

- 6.1 Staff must not misuse or misrepresent their position, qualifications or experience or bring the reputation of the school into disrepute. Such behaviour may lead to disciplinary action and where relevant, referral to the DBS (*see Safeguarding - Child Protection Policy including EYFS*).
- 6.2 Staff are required to adhere to the School's Online Safety Policy at all times: this is published on the School's VLE and website www.belmont-school.org.

7 Sexual Contact

- 7.1 All staff should clearly understand the need to maintain appropriate boundaries in their contact with pupils. All staff should be aware that it is an offence for a person aged 18 or over, such as a teacher, to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if, in the case of those over 16, the relationship is consensual. Any sexual activity between an adult and child with whom they work may be regarded as a criminal offence and will always be a matter for disciplinary action. All children and young people are protected by specific legal provisions in this respect regardless of whether the child, or young person, consents or not. The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing children to engage in, or watch, sexual activity.

8 Physical Contact

- 8.1 There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, but it is crucial that staff only do so in ways appropriate to their professional role.
- 8.2 A 'no touch' approach is impractical for most staff and will be inappropriate in some circumstances. When physical contact is made with pupils this should be in response to their needs at the time.

- 8.3 It is not possible to be specific about the appropriateness of each physical contact since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child. Staff should therefore use their professional judgement at all times.
- 8.4 If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded as soon as possible and placed in the child's file. The Headmistress must also be informed.
- 8.5 Children with special needs or very young children may require more physical contact to assist their everyday learning and needs. The arrangements should be understood and agreed by all concerned justified in terms of the child's needs, consistently applied and open to scrutiny.
- 8.6 It is recognised that some children may seek inappropriate physical contact. Staff should be particularly aware of this especially when it is known that a child has suffered previous abuse or neglect. Such circumstances must always be reported to the DSL and the parent/carer.

9 Other Activities That Require Physical Contact

- 9.1 Some staff who work in certain settings, for example sports, drama or outdoor activities or teach specific subjects such as PE or music, will have to initiate some physical contact with children, for example, to demonstrate technique or adjust posture, or to ensure a safety belt is correctly fitted in a minibus or staff car. Such physical contact should take place only when it is necessary in relation to a particular activity. It should take place in an open environment, easily observed by others and last for the minimum time necessary.

10 Accommodation

- 10.1 No child may visit a staff house, flat or bedsit at any time without the express permission of the Head or in an emergency, in which case the visit must be declared as soon as is practicable and certainly within 24 hours.
- 10.2 Staff should exercise discretion and respect the privacy of pupils at all times, such as in the Boarding House or Sports Hall when pupils are changing. It is necessary to supervise pupils effectively but with professionalism.

11 Behaviour Management

- 11.1 Where children display difficult or challenging behaviour, staff must follow the School's Behaviour and Discipline including EYFS Policy published on the School's VLE and website. The use of physical intervention can only be justified in exceptional circumstances and must be used as a last resort when other behaviour management strategies have failed.

12 Criminal Actions

- 12.1 School staff must inform the Headmistress, or in the case of the Headmistress the Chair of Governors, immediately if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution. The Headmistress, or Governors, will discuss this with the employee in the context of their role and responsibilities in order to help safeguard children and other staff at Belmont.

13 Declaration of Interests

- 13.1 An employee is required to declare this where the group or organisation would be considered to be in conflict with the ethos of the School. Membership of a trade union or staff representative group would not need to be declared.
- 13.2 Staff should also consider carefully whether they need to declare to the School their relationship with any individual(s) where this might cause a conflict with school activities. For example, a relationship with a Governor, another staff member or a contractor who provides services to the School.
- 13.3 Failure to make a relevant declaration of interests is a very serious breach of trust and therefore if staff are in doubt about a declaration, they are advised to take advice from the Headmistress or union.

14 Probity of Records and other Documents

- 14.1 All declarations should be submitted to the Headmistress in writing.
- 14.2 The deliberate falsification of documents is not acceptable. Where an employee falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.
- 14.3 Where an employee who has claimed any benefit, including housing benefit, either directly or indirectly and has failed to disclose their full earnings, this will be treated as gross misconduct and the employee may be dismissed and referred to the Police.

15 Use of School Contacts

- 15.1 Apart from participating in concessionary schemes arranged by trade unions or other such groups, staff shall not use school business contacts for acquiring materials or services at trade/discount prices for non-school activities.

16 Attendance and Timekeeping

- 16.1 Should you need to be absent or expect to be late for any reason, you should ask the Headmistress or, in her absence, one of the Deputy Heads in advance when possible. If this is not possible, please contact your Head of Department or the Deputy Head Academic at the earliest opportunity and usually by 7am on the day of absence at the latest. Guidance on work to be given to pupils or instructions for other staff during your absence should be emailed to the Deputy Head Academic as early as possible.

17 Eating and Drinking

- 17.1 Staff are allowed to eat food in the dining room or the staff room only. They are not allowed to eat in the public areas of the School during the working week, except when taking part in a school activity or in the staffrooms. Staff should not make hot drinks and carry them to their classrooms as this is both unprofessional and dangerous and will be challenged. Drinks may be consumed in office areas where children are not generally present. Staff are reminded to clear away after they have eaten or drunk in the staffrooms and to ensure that they leave their environment in a clean and tidy manner.

18 Smoking

18.1 To promote a healthy and pleasant working environment and because of the fire risk, smoking is not allowed anywhere on site, except for the designated area in the Maintenance yard. Residential staff are asked not to smoke but, if they must, they should smoke outside their homes and not in the sight of children.

19 Alcohol and Illegal Drugs

19.1 Consumption of alcohol or illegal drugs is not permitted on site save where at a school function or otherwise agreed when modest amounts of alcohol may be consumed. Employees conduct and performance must not be adversely impacted by alcohol or drugs when undertaking their duties. Staff that reside on site may consume modest quantities of alcohol in private accommodation when they are not on duty, but should be mindful of the fact that they may be required to respond to an emergency involving pupils at any time.

19.2 If alcohol or drug usage impacts upon an employee's working life, the School has the right to discuss the matter with the employee and take appropriate action, having considered factors such as the School's reputation and public confidence.

20 Security

20.1 In the interests of security, employees must carry their electronic pass whilst in School. You must not remove any School documents from the site nor take any photographs without due permission. In an extreme situation, the School reserves the right to search the outer clothing, bags, lockers and vehicles etc. of employees whilst on site. The employee may have a colleague in attendance on such (rare) occasions.

21 Personal Appearance

21.1 We regularly receive visits from parents, potential parents and others, and naturally wish to convey an impression of efficiency and organisation. Therefore whilst not wishing to impose unreasonable obligations on staff you are, nonetheless, required to look smart in appearance and casual clothing such as jeans should be reserved for school outings where casual clothing is necessary. Items of extreme fashion may be inappropriate and hats should never be worn indoors. Sports kit should only be worn by those members of staff teaching sport on that day and, ideally, staff should change at lunchtime either into or out of sports kit for the afternoon.

22 Mobility and Flexibility

22.1 Due to the demands and nature of the School, employees should be prepared to transfer upon request within departments either temporarily or permanently, to undertake work of a different nature, providing it is reasonable and safe to do so and the employee is adequately trained.

23 Staff Awareness

23.1 It is every member of staff's professional responsibility to be aware of all current guidelines and policies including the supervision guidelines published in the Staff Handbook (held on belstaff and the VLE), duty rotas (displayed in staffrooms), policies (available on the website and the VLE), and updates released by the senior management team from time to time (usually by email or in hard copy).

24 Whistleblowing Policy

24.1 The School has adopted this policy and the accompanying procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, criminal offences, miscarriages of justice, and failure to comply with legal obligations, inappropriate behaviour or unethical conduct. The policy also explains how, in certain circumstances, such concerns may be raised outside the organisation.

At Belmont we have a culture of safety and raising concerns, having regard to the guidance in “Keeping Children Safe in Education” and “Working Together to Safeguard Children”. We also have a culture of valuing staff and of reflective practice. Staff should make themselves aware of this Whistleblowing Policy and the procedures in the Staff Handbook for reporting and handling concerns, including about poor and unsafe practice and potential failures in the School’s safeguarding regime. Staff should also make themselves aware of the provision for mediation and dispute resolution where necessary and these can be found in the Staff Handbook. All concerns will be received and handled with transparency and accountability.

Elements of the Policy

- 24.2 In accordance with Lord Nolan’s Second Report of the Committee on Standards in Public Life, the School’s policy on whistleblowing is intended to demonstrate that the School:
- Will not tolerate malpractice;
 - Respects the confidentiality of staff raising concerns and will provide procedures to maintain confidentiality so far as is consistent with progressing the issues effectively;
 - Will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;
 - Will invoke the School’s disciplinary policy and procedure in the case of false, malicious, vexatious or frivolous allegations;
 - Will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.

Procedure

- 24.3 This procedure is separate from the School’s adopted procedures regarding grievances. Employees should not use the whistleblowing procedure to raise grievances about their personal employment situation.
- 24.4 This procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the School.
- 24.5 Malpractice is not easily defined; however, it includes allegations of fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of ethics, criminal activities, or failing to comply with a legal obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment.

Confidentiality

- 24.6 Employees who wish to raise a concern under this procedure are entitled to have the matter treated confidentially and their name will not be disclosed to the alleged perpetrator of malpractice without their prior approval. It may be appropriate, to preserve confidentiality, that concerns are raised orally rather than in writing, although members of staff are encouraged to express their concern in writing wherever possible. If there is evidence of criminal activity then the Police will in all cases be informed.

The Investigation

24.7 A member of staff will be at liberty to express their concern to the Headmistress, the Safeguarding Governor, one of the Deputy Heads, the Bursar or, in the case of a safeguarding issue, the DSL or one of the deputies.

24.8 Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. The member of staff making the allegation will be kept informed of progress and, whenever possible and subject to third party rights, will be informed of the Resolution.

24.9 A member of staff who is not satisfied that their concern is being properly dealt with will have a right to raise it in confidence with the Governors.

External Procedures

24.10 Where all internal procedures have been exhausted, a member of staff shall have a right of access to an external person/body. This may include (depending on the subject matter of the disclosure) HMRC, the Audit Commission, the Health and Safety Executive and/or the Local Authority Designated Officer (where the disclosure relates to a child protection issue).

24.11 It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where a member of staff may be entitled to raise a concern directly with an external body where the employee reasonably believes:

- that exceptionally serious circumstances justify it;
- that the School would conceal or destroy the relevant evidence;
- where they believe they would be victimised by the School;
- where the Secretary of State has ordered it.

Malicious Accusations

24.12 False, malicious, vexatious or frivolous accusations will be dealt with under the School's Disciplinary Procedure.

Protection from Reprisal or Victimisation

24.13 No member of staff will suffer a detriment or be disciplined for raising a genuine and legitimate concern, providing that they do so in good faith and following the Whistleblowing procedures.

Reference

24.14 <http://www.pcaw.org.uk/> is the link for Public Concern at Work - a charity that provides free, confidential advice about how to raise concerns about malpractice at work.

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