



| <b>MAYFIELD SCHOOL</b>      |   |
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| <b>Policy:</b>              | Guidance for Safer Working Practice / Staff Code of Conduct |
| <b>Author:</b>              | SLT   |
| <b>Governors Committee:</b> | Leadership  |
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# Code of Conduct and Guidance for Safer Working Practice

*For Staff and Volunteers who Work with Children and Young People*

**Staff: wherever the word staff is used it covers all adults working on site including academic and support staff, temporary staff, volunteers, peripatetic staff and trainees.**

## Overview

All staff and volunteers who work at Mayfield have a duty of care to safeguard and promote the welfare of children.

The Children Act 2004 places a duty on Schools to safeguard and promote the well-being of children and young people. This includes the need to ensure that all staff and volunteers who work with or on behalf of children and young people are competent, confident and safe to do so.

Excellent relationships between staff and pupils are at the heart of any good school. Mayfield recognises the need for, and desirability of, warm, friendly and respectful social and professional contacts between staff and pupils; indeed it is one of the best and most important things about the School. Staff can play a crucial role in shaping the lives of the pupils in their care and their interaction can be supportive, affirming and inspiring. All members of staff are expected to act professionally and to seek to provide a safe and responsive environment, which secures the well-being and the very best outcomes for those in their care.

It is recognised that achieving these aims is not always straightforward. Much relies on pupil and staff interactions where tensions and misunderstandings can occur. It is here that the behaviour of staff and volunteers can potentially give rise to allegations being made against them. Allegations may be genuine, malicious or misplaced. They may arise from differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned.

In all cases it cannot be sufficiently stressed that trustworthiness, integrity and good sense are required to ensure that nothing is done either to take advantage of or abuse the children and young people in our care, or even to appear to do so by rash and poorly considered actions.

This code of conduct and guidance has been produced to help staff establish the safest possible learning and working environments where an atmosphere of trust exists in which colleagues can conduct their professional lives with confidence. The aims are to safeguard young people and reduce the risk of staff being falsely accused of improper or unprofessional conduct. It seeks to ensure that the duty to promote and safeguard the wellbeing of children is in part, achieved by raising awareness of illegal, unsafe and inappropriate behaviours. Whilst every attempt has been made to cover a wide range of situations, it is recognised that any such guidance cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this document, or which directly contravene the

guidance given. It is expected that in these circumstances staff will always advise their senior colleagues of the justification for any such action already taken or proposed.

It is also recognised that not all adults who work with children and young people work as paid or contracted employees. The principles and guidance outlined in this document still apply and should be followed by all adults whose work brings them into contact with children and young people at Mayfield.

The guidance contained in this document is an attempt to identify what behaviour is expected of staff and volunteers who work at Mayfield. Staff and volunteers whose practice deviates from this guidance and/or their professional code of conduct may bring into question their suitability to work with children and young people.

### **What to do if you are worried a child is being abused**

Everyone working at Mayfield should be familiar with the Child Protection Policy of the School. Staff and volunteers have a duty to report any child protection or welfare concerns to the Designated Safeguarding Lead, Claire Murphy (Director of Pastoral Care) on 01761 235183) or directly to Somerset Direct (0300 123 2224). Anyone who has concerns or is in doubt should refer to the Designated Safeguarding Lead.

### **Underpinning Principles**

- The welfare of the child is paramount (Children Act 1989).
- It is the responsibility of all adults to safeguard and promote the welfare of children and young people. This responsibility extends to a duty of care for those adults employed, commissioned or contracted to work with children and young people.
- Staff and volunteers 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.
- Staff and volunteers should work and be seen to work, in an open and transparent way.
- The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity.
- Staff and volunteers should continually monitor and review their practice and ensure they follow the guidance contained in this document.

### **Guidance**

This Guidance is taken from Keeping Children Safe in Education 2018 and Working Together to Safeguard Children 2018.

## 1. Duty of Care

All staff and volunteers are accountable for the way in which they exercise authority; manage risk; use resources; and safeguard children and young people.

Whether working in a paid or voluntary capacity, these staff have a duty to keep children and young people safe and to protect them from sexual, physical and emotional harm. Children and young people have a right to be treated with respect and dignity. It follows that trusted staff and volunteers are expected to take reasonable steps to ensure the safety and well-being of children and young people. Failure to do so may be regarded as neglect.

The duty of care is in part, exercised through the development of respectful and caring relationships between staff and volunteers and children and young people. It is also exercised through the behaviour of the adult, which at all times should demonstrate integrity, maturity and good judgement.

Everyone expects high standards of behaviour from staff and volunteers. When individuals accept such work, they need to understand and acknowledge the responsibilities and trust inherent in that role.

Mayfield also have a duty of care towards its employees, both paid and unpaid, under the Health and Safety at Work Act 1974. This requires the School to provide a safe working environment for staff and volunteers and provide guidance about safe working practices. Mayfield also has a duty of care for the well-being of employees and to ensure that employees are treated fairly and reasonably in all circumstances. The Human Rights Act 1998 sets out important principles regarding protection of individuals from abuse. Staff and volunteers who are subject to an allegation should therefore be supported and the principles of natural justice applied.

The Health and Safety Act 1974 also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings. The School's duty of care and the adult's duty of care towards children should not conflict.

This 'duty' can be demonstrated through the use and implementation of these guidelines.

## 2. Confidentiality

Staff and volunteers 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.

If an adult who works with children is in any doubt about whether to share information or keep it confidential he or she should seek guidance from The Head Master, Deputy Head Master / DSL. Any actions should be in line with locally agreed information sharing protocols.

*This means that staff and volunteers 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 their own actions and behaviour*

The storing and processing of personal information about children and young people is governed by the Data Protection Act 1998. The School should provide clear advice to staff and volunteers about their responsibilities under this legislation.

Whilst staff and volunteers need to be aware of the need to listen to and support children and young people, they must also understand the importance of not promising to keep secrets.

Neither should they request this of a child or young person under any circumstances.

Additionally, concerns and allegations about staff and volunteers should be treated as confidential and passed to the Head Master without delay. (See Appendix 3 of the Child Protection Policy)

*This means that the School should:*

- *ensure that appropriate safeguarding and child protection policies and procedures are adopted, implemented and monitored*
- *ensure that codes of conduct/practices are continually monitored and reviewed*
- *ensure that, where services or activities are provided by another body, the body concerned has appropriate safeguarding policies and procedures*
- *foster a culture of openness and support*
- *ensure that systems are in place for concerns to be raised*
- *ensure that staff and volunteers are not placed in situations which render them particularly vulnerable*
- *ensure all staff and volunteers 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*

*This means that staff and volunteers:*

- *Should be clear about when information can be shared and in what circumstances it is appropriate to do so*
- *are expected to treat information they receive about children and young people in a discreet and confidential manner*
- *should 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*
- *need to know to whom any concerns or allegations should be reported*

### 3. Making a Professional Judgement

This guidance cannot provide a complete checklist of what is, or is not inappropriate behaviour for staff and volunteers in all circumstances. There may be occasions and circumstances in which staff and volunteers 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. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge. Such judgements, in these circumstances, should always be recorded and shared with The Head Master, Deputy Head Master or Designated Safeguarding Lead. In undertaking these actions individuals will be seen to be acting reasonably.

Staff and volunteers should always consider whether their actions are warranted, proportionate and safe and applied equitably.

*This means that where no specific guidance exists staff and volunteers should:*

- *discuss the circumstances that informed their action, or their proposed action, with The Head Master, Deputy Head Master/Designated Safeguarding Lead*
- *report any actions which could be mis - interpreted to The Head Master, Deputy Head Master/Designated Safeguarding Lead*
- *always discuss any misunderstanding, accidents or threats with The Head Master, Deputy Head Master/Designated Safeguarding Lead*
- *always record discussions and reasons why actions were taken.*
- *record any areas of disagreement about course of action taken if necessary referred to a higher authority*

### 4. Power and Positions of Trust

As a result of their knowledge, position and/or the authority invested in their role, all staff and volunteers are in positions of trust in relation to the young people in their care. Broadly speaking, a relationship of trust can be described as one in which one party is in a position of power or influence over the other by virtue of their work or the nature of their activity. It is vital for all those in positions of trust to understand the power this can give them over those they care for and the responsibility they must exercise as a consequence of this relationship.

A relationship between an adult and a child or young person cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people. Staff and volunteers have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Staff and volunteers should always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report and record any incident with this potential.

*This means that staff and volunteers 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*

Where a person aged 18 or over is in a specified position of trust with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity.

## 5. Propriety and Behaviour

All staff and volunteers 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.

There may be times, for example, when an adult's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position in their workplace or indicate an unsuitability to work with children or young people. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

Staff and volunteers in contact with children and young people should therefore understand and be aware, that safe practice also involves using judgement and integrity about their behaviour in places other than the work setting.

The behaviour of an adult's partner or other family members may raise similar concerns and require careful consideration by an employer as to whether there may be a potential risk to children and young people in the workplace.

## 6. Dress and Appearance

A person's dress and appearance are matters of personal choice and self-expression. However staff and volunteers should dress in ways which are appropriate to their role and which are consistent with the expectations of the pupils. This may need to be different to how they dress when not at work.

Staff and volunteers who work with children and young people should take care to ensure they are dressed appropriately for the tasks and the work they undertake. (i.e. clothing which is not likely to be viewed as offensive, revealing, discriminatory or culturally insensitive).

A reasonable compromise between individuality and stuffy uniformity is the aim and staff should wear clothing that can be comfortable and yet retain a professional air at all times. This would normally mean a jacket and tie or suit for men and

*This means that staff and volunteers should 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.*
- *make, or encourage others to make, unprofessional personal comments which scapegoat, demean or humiliate, or which might be interpreted as such*

*This means that staff and volunteers should:*

- *be aware that behaviour in their personal lives may impact upon their work with children and young people*
- *follow any codes of conduct deemed appropriate by the School*
- *understand that the behaviour and actions of their partner (or other family members) may raise questions about their suitability to work with children and young people*

*This means that staff and volunteers 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*
- *is not considered to be discriminatory and is culturally sensitive*

appropriate equivalent business dress for women. If you are in doubt you can seek advice from the Deputy Head Master on what is appropriate.

Those who dress in a manner which could be considered as inappropriate could render themselves vulnerable to criticism or allegations.

## 7. Personal Living Space

No pupil should be in or invited into, the private home of a member of staff or volunteer, unless the reason for this has been firmly established and agreed with parents/ carers and The Head Master, Deputy Head Master or the home has been designated by the School as a work place e.g. designated public rooms in the HsM's accommodation in a boarding house.

It is not appropriate for the School to expect or request that private living space be used for work with pupils of the School.

Pupils should not be asked to assist with chores or tasks in the home of an adult who works with them. Neither should they be asked to do so by friends or family of that adult.

*This means that staff and volunteers should:*

- *be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations*
- *challenge any request for their private accommodation to be used as an additional resource for the School*
- *be mindful of the need to maintain professional boundaries*
- *refrain from asking children and young people to undertake personal jobs or errands*

## 8. Gifts, Rewards and Favouritism

The giving of gifts or rewards to children or young people should be part of an agreed policy for supporting positive behaviour or recognising particular achievements. In some situations, the giving of gifts as rewards may be accepted practice for a group of children, whilst in other situations the giving of a gift to an individual child or young person will be part of an agreed plan, recorded and discussed with a senior manager and the parent or carer.

It is acknowledged that there are specific occasions when staff and volunteers may wish to give a child or young person a personal gift. This is only acceptable practice where, in line with the agreed policy, the adult has first discussed the giving of the gift and the reason for it, with their senior manager and the action is recorded. Any gifts should be given openly and not be based on favouritism. Staff and volunteers need to be aware however, that the giving of gifts can be misinterpreted by others as a gesture either to bribe or groom a young person.

Staff and volunteers should exercise care when selecting children and/or young people for specific activities or privileges to avoid perceptions of favouritism or unfairness. Methods and criteria for selection should always be

*This means that staff and volunteers should:*

- *ensure that gifts received or given in situations which may be misconstrued are declared*
- *generally, only give gifts to an individual young person as part of an agreed reward system*
- *where giving gifts other than as above, ensure that these are of insignificant value*
- *ensure that all selection processes which concern children and young people are fair and that wherever practicable these are undertaken and agreed by more than one member of staff*

transparent and subject to scrutiny.

Care should also be taken to ensure that staff and volunteers do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

There are occasions when children, young people or parents wish to pass small tokens of appreciation to staff and volunteers e.g. on special occasions or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

## 9. Infatuations

Occasionally, a child or young person may develop an infatuation with an adult who works with them. These staff and volunteers should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain aware, however, that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort to ensure that their own behaviour is above reproach.

*This means that staff and volunteers 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*

An adult, who becomes aware that a child or young person is developing an infatuation, should discuss this at the earliest opportunity with The Head Master, Deputy Head Master / Designated Safeguarding Lead so appropriate action can be taken to avoid any hurt, distress or embarrassment.

## 10. Communication with Children and Young People (including the Use of Technology)

Communication between children and staff and volunteers, 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. Staff and volunteers 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. Staff and volunteers should ensure that all communications are transparent and open to scrutiny.

*This means that the School:*

- *gives guidance on acceptable and permissible modes of communication*

*This means that staff and volunteers should:*

Staff and volunteers should also be circumspect in their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. They should not give their personal contact details to children and young people including e-mail, home or mobile telephone numbers, unless

- *not give their personal contact details to children or young people, including their mobile telephone number and details of any blogs or personal websites, unless the need to do so is agreed with the Head Master or Deputy Head Master*
- *use equipment e.g. mobile phones, provided by the School to communicate with children*
- *only make contact with children for professional reasons*
- *recognise that text messaging is rarely an appropriate response*

the need to do so is agreed with the Head Master or Deputy Head Master. E-mail or text communications between an adult and a child young person outside agreed protocols may lead to disciplinary and/or criminal investigations. This also includes communications through internet based web sites.

Internal e-mail systems should only be used in accordance with the School's policy.

*to a child in a crisis situation or at risk of harm. It should only be used as a last resort when other forms of communication are not possible*

- *not use internet or web-based communication channels to send personal messages to a child/young person*
- *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.*

## 11. Social Contact

Staff and volunteers 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 the Head Master or Deputy Head Master. If a child or parent seeks to establish social contact, or if this occurs coincidentally, the adult should exercise her/his professional judgement in making a response but should always discuss the situation with the Head Master or Deputy Head Master. Staff and volunteers should be aware that social contact in certain situations can be misconstrued as grooming.

*This means that staff and volunteers should:*

- *have no secret social contact with children and young people or their parents*
- *consider the appropriateness of the social contact according to their role and nature of their work*
- *always approve any planned social contact with children or parents with senior colleagues*
- *advise the Head Master or Deputy Head Master/Designated Safeguarding Lead of any social contact they have with a child or a parent with whom they work, which may give rise for concern*
- *report and record any situation, which may place a child at risk or which may compromise the School or their own professional standing*
- *be aware that the sending of personal communications may be called into question and need to be justified.*

Where social contact is an integral part of work duties, e.g. pastoral work, care should be taken to maintain appropriate personal and professional boundaries. This also applies to social contacts made through interests outside of work or through the adult's own family or personal networks.

It is recognised that some staff and volunteers may support a parent who may be in particular difficulty. Care needs to be exercised in those situations where the parent comes to depend upon the adult for support outside their professional role. This situation should be discussed with the Head Master or Deputy Head Master and where necessary referrals made to the appropriate support agency.

## 12. Sexual Contact

All staff and volunteers 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 staff and volunteers 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.

*This means that staff and volunteers should not:*

- *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,*

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.

Children and young people are protected by specific legal provisions 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 or the production of pornographic material. 'Working Together to Safeguard Children' defines sexual abuse as "forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening".

There are occasions when staff and volunteers embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child, and manipulate that relationship so sexual abuse can take place. Staff and volunteers should be aware that consistently conferring inappropriate special attention and favour upon a child might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

### 13. Physical Contact

Many jobs within the children's workforce require physical contact with children as part of their role. There are also occasions when it is entirely appropriate for other staff and volunteers to have some physical contact with the child or young person with whom they are working. However, it is crucial that in all circumstances, staff and volunteers should only touch children in ways which are appropriate to their professional or agreed role and responsibilities.

Not all children and young people feel comfortable about physical contact, and staff and volunteers should not make the assumption that it is acceptable practice to use touch as a means of communication. Permission should be sought from a child or young person before physical contact is made.

When physical contact is made with a child this should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. 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 and volunteers, nevertheless, should use their professional

*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*

*This means that staff and volunteers should:*

- *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.*

*This means that staff and volunteers 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*
- *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 touching and always be sensitive to issues of gender*
- *understand that physical contact in some circumstances can be easily misinterpreted*

judgement at all times, observe and take note of the child's reaction or feelings and - so far as is possible - use a level of contact and/or form of communication which is acceptable to the child for the minimum time necessary.

Physical contact which occurs regularly with an individual child or young person is likely to raise questions unless there is explicit agreement on the need for, and nature of, that contact. This would then be part of a formally agreed plan or within the parameters of established, agreed and legal professional protocols on physical contact e.g. sport activities or medical procedures. Any such arrangements should be understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If an adult believes that their action could be misinterpreted, or if an action is observed by another as being inappropriate or possibly abusive, the incident and circumstances should be reported to the Head Master, Deputy Head Master/Designated Safeguarding Lead as outlined in the procedures for handling allegations and an appropriate record made. Parents/carers should also be informed where appropriate.

Where a child seeks or initiates inappropriate physical contact with an adult, the situation should be handled sensitively and care taken to ensure that contact is not exploited in any way. Careful consideration must be given to the needs of the child and advice and support given to the adult concerned.

It is recognised that some children who have experienced abuse may seek inappropriate physical contact. Staff and volunteers should be particularly aware of this when it is known that a child has suffered previous abuse or neglect. In the child's view, physical contact might be associated with such experiences and lead to some actions being misinterpreted. In all circumstances where a child or young person initiates inappropriate physical contact, it is the responsibility of the adult sensitively to deter the child and help them understand the importance of personal boundaries. Such circumstances must always be reported and discussed with the Head Master, Deputy Head Master/Designated Safeguarding Lead.

#### **14. Other Activities that require Physical Contact**

Staff and volunteers who work in certain settings, for example sports, drama or outdoor activities will have to initiate some physical contact with children, for example to demonstrate technique in the use of a particular piece of

*This means that the School:*

- *records incidents and information about incidents and outcomes can be easily accessed by senior management*
- *makes staff and volunteers aware of relevant guidance in respect of physical contact with children and meeting medical needs of children and young people where appropriate*
- *be explicit about what physical contact is appropriate for staff and volunteers working in their setting*

*This means that staff and volunteers should:*

- *treat children with dignity and respect and avoid contact with*

equipment, adjust posture, or perhaps to support a child so they can perform an activity safely or prevent injury. Such activities should be carried out in accordance with existing codes of conduct, regulations and best practice.

Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment i.e. one easily observed by others and last for the minimum time necessary. The extent of the contact should be made clear to the parent / carer and once agreed, should be undertaken with the permission of the child / young person. Contact should be relevant to their age or understanding and staff and volunteers should remain sensitive to any discomfort expressed verbally or non-verbally by the child.

Guidance and protocols around safe and appropriate physical contact are provided by national organisations, for example sports governing bodies or major arts organisations, and should be understood and applied consistently. Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be reported to the Head Master, Deputy Head Master or the Designated Safeguarding Lead.

It is good practice if all parties clearly understand at the outset, what physical contact is necessary and appropriate in undertaking specific activities. Keeping parents/carers, children and young people informed of the extent and nature of any physical contact may also prevent allegations of misconduct or abuse arising.

## 15. Behaviour Management

All children and young people have a right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour.

Staff and volunteers should not use any form of degrading treatment to punish a child. The use of sarcasm, demeaning or insensitive comments towards children and young people is not acceptable in any situation. Any sanctions or rewards used should be part of the behaviour management policy which is widely publicised and regularly reviewed.

The use of corporal punishment is prohibited and whilst there may be a legal defence for parents who physically chastise their children, this does not extend, in any circumstances, to those staff and volunteers who work with or on behalf of children and young people.

- intimate parts of the body*
- *always explain to a child the reason why contact is necessary and what form that contact will take*
- *seek consent of parents where a child or young person is unable to do so because of a disability*
- *consider alternatives, where it is anticipated that a child might misinterpret any such contact*
- *be familiar with and follow recommended guidance and protocols*
- *conduct activities where they can be seen by others*
- *be aware of gender, cultural or religious issues that may need to be considered prior to initiating physical contact*

*This means that the School:*

- *makes staff and volunteers aware of this guidance on physical contact and promotes safe practice through its policy, supervision and training*

*This means that staff and volunteers should:*

- *not use force as a form of punishment*
- *try to defuse situations before they escalate*
- *inform parents of any behaviour management techniques used*
- *adhere to the behaviour management policy*
- *be mindful of factors which may impact upon a child or young person's behaviour e.g. bullying, abuse and where necessary take appropriate action*

*This means that School:*

- *has in place appropriate behaviour management policies*
- *where appropriate, will develop*

Where children display difficult or challenging behaviour, staff and volunteers must follow the behaviour policies and use strategies appropriate to the circumstance and situation. 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.

*positive handling plans in respect of an individual child or young person.*

Where a child has specific needs in respect of particularly challenging behaviour, a positive handling plan may be drawn up and agreed by all parties. Only in these circumstances should an adult deviate from the behaviour management policy of the School.

## 16. Use of Control and Physical Intervention

There are circumstances in which staff and volunteers working with children displaying extreme behaviours can legitimately intervene by using either non- restrictive or restrictive physical interventions. This is a complex area and the School has regard to government guidance and legislation in its the policies and practice.

*This means that staff and volunteers should:*

- *adhere to the School's physical intervention (Restraint) policy*
- *always seek to defuse situations*
- *always use minimum force for the shortest period necessary*
- *record and report as soon as possible after the event any incident where physical intervention has been used.*

The use of physical intervention should, wherever possible, be avoided. It should only be used to manage a child or young person's behaviour if it is necessary to prevent personal injury to the child, other children or an adult, to prevent serious damage to property or in what would reasonably be regarded as exceptional circumstances. When physical intervention is used it should be undertaken in such a way that maintains the safety and dignity of all concerned

*This means that the School:*

- *have a policy on the use of physical intervention/restraint in place that complies with government guidance and legislation and describes the context in which it is appropriate to use physical intervention*
- *ensure that an effective recording system is place which allows for incidents to be tracked and monitored*
- *ensure staff and volunteers are familiar with the above ensure that staff are appropriately trained*

The scale and nature of any physical intervention must be proportionate to both the behaviour of the individual to be controlled and the nature of the harm they may cause. The minimum necessary force should be used and the techniques deployed in line with recommended policy and practice.

Under no circumstances should physical force or intervention be used as a form of punishment. The duty of care which applies to all staff and volunteers and organisations working with children and young people requires that reasonable measures are taken to prevent children being harmed. The use of unwarranted physical force is likely to constitute a criminal offence.

In all cases where physical intervention is employed the incident and subsequent actions should be documented and reported. This should include written and signed accounts of all those involved, including the child or young person. The parents/carers should be informed the same day.

## 17. Children and Young People in Distress

In a boarding school staff and volunteers may be involved in managing significant occurrences of distress and emotional upset in children. In these circumstances staff and volunteers should be aware of what is and what is not acceptable behaviour when comforting a child or diffusing a situation. This is particularly important when working on a one-to-one basis.

For all staff and volunteers working with children there will be occasions when a distressed child needs comfort and reassurance and this may involve physical contact. Young children, in particular, may need immediate physical comfort, for example after a fall, separation from parent etc. Staff and volunteers should use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries.

Where an adult has a particular concern about the need to provide this type of care and reassurance, or is concerned that an action may be misinterpreted, this should be reported and discussed with the Head Master, Deputy Head Master/Designated Safeguarding Lead.

## 18. Intimate Care

Some job responsibilities necessitate intimate physical contact with children, for example 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. The emotional responses of any child to intimate care should be carefully and sensitively observed, and where necessary, any concerns passed to senior managers and/or parents/carers.

All children have a right to safety, privacy and dignity when contact of a physical or intimate nature is required and depending on their abilities, age and maturity should be encouraged to act as independently as possible.

## 19. Personal Care

Young people are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. There are

*This means the adult should:*

- *consider the way in which they offer comfort and reassurance to a distressed child and do it in an age-appropriate way*
- *be circumspect in offering reassurance in one to one situations, but always record such actions in these circumstances*
- *follow professional guidance or code of practice where available*
- *never touch a child in a way which may be considered indecent*
- *record and report situations which may give rise to concern from either party*
- *not assume that all children seek physical comfort if they are distressed*

*This means that staff and volunteers should:*

- *adhere to the School's guidelines at all times*
- *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*

*This means that staff and volunteers should:*

- *avoid any physical contact when*

occasions where there will be a need for an appropriate level of supervision in order to safeguard young people and/or satisfy health and safety considerations. This supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment.

Staff and volunteers need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the children and young people with whom they work.

- children are in a state of undress*
- avoid any visually intrusive behaviour*
- where there are changing rooms announce their intention of entering*

*This means that staff and volunteers should not:*

- change in the same place as children*
- shower or bathe with children*
- assist with any personal care task which a child or young person can undertake by themselves*

## 20. First Aid and Administration of Medication

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

When administering first aid, wherever possible, staff and volunteers should ensure that another adult is aware of the action being taken. Parents should always be informed when first aid has been administered.

In circumstances where children need medication regularly a health care plan should have been established to ensure the safety and protection of children and the staff and volunteers who are working with them. Depending upon the age and understanding of the child, they should where appropriate, be encouraged to self-administer medication or treatment including, for example any ointment, use of inhalers.

*This means that the School:*

- guides staff to understand the extent and limitations of their role in applying basic care and hygiene tasks for minor abrasions and understand where an injury requires more experienced intervention*
- ensures there are trained and named individuals to undertake first aid responsibilities*
- ensures training is regularly monitored and updated*
- always ensures that arrangements are in place to obtain parental consent for the administration of first aid or medication*

*This means that staff and volunteers should:*

- adhere to the School's policy for administering first aid or medication*
- comply with the necessary reporting requirements*
- make other staff and volunteers 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*
- always ensure that an appropriate health/risk assessment is undertaken prior to undertaking certain activities*

## 21. One to One Situations

It is not realistic to state that one to one situations should never take place. It is however, appropriate to state that where there is a need, agreed with a senior manager, for an adult to be alone with a child or young person, certain procedures and explicit safeguards must be in place.

Staff and volunteers should be offered guidance for the use of any areas of the workplace which may place themselves or children in vulnerable situations. This would include those situations where staff and volunteers work directly with children and young people in unsupervised settings and/or isolated areas.

One to one situations have the potential to make the child/young person more vulnerable to harm by those who seek to exploit their position of trust. Staff and volunteers working in one to one settings with children and young people may also be more vulnerable to unjust or unfounded allegations being made against them. Both possibilities should be recognised so that when one to one situations are unavoidable, reasonable and sensible precautions are taken. Every attempt should be made to ensure the safety and security of children and young people and the staff and volunteers who work with them.

There are occasions where managers will need to undertake a risk assessment in relation to the specific nature and implications of one to one work. These assessments should take into account the individual needs of the child/young person and the individual worker and any arrangements should be reviewed on a regular basis.

Meetings with children and young people outside agreed working arrangements should not take place without the agreement of the Head Master, Deputy Head Master/Designated Safeguarding Lead and parents or carers.

## 22. Transporting Children and Young People

There will be occasions when staff and volunteers are expected or asked to transport children as part of their duties. Staff and volunteers, who are expected to use their own vehicles for transporting children should ensure that the vehicle is roadworthy, appropriately insured and that the maximum capacity is not exceeded.

It is a legal requirement that all passengers should wear seat belts and it is the responsibility of the staff member to ensure that this requirement is met. Staff and volunteers should also

*This means that staff and volunteers 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 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 the Head Master, Deputy Head Master/Designated Safeguarding Lead*
- *carefully consider the needs and circumstances of the child/children when in one to one situations*

*This means that staff and volunteers should:*

- *ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement and/ or ability to drive*
- *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*

be aware of current legislation and adhere to the use of car seats for younger children. Where staff and volunteers transport children in a vehicle which requires a specialist license/insurance e.g. PCV or LGV<sup>9</sup>- staff should ensure that they have an appropriate licence and insurance to drive such a vehicle.

It is inappropriate for staff and volunteers to offer lifts to a child or young person outside their normal working duties, unless this has been brought to the attention of the Head Master or Deputy Head Master and has been agreed with the parents/carers.

There may be occasions where the child or young person requires transport in an emergency situation or where not to give a lift may place a child at risk. Such circumstances must always be recorded and reported to the Head Master or Deputy Head Master.

### 23. Trips and Outings

Staff and volunteers should take particular care when supervising children and young people on trips and outings, where the setting is less formal than the usual workplace. Staff and volunteers remain in a position of trust and need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries.

Where activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Children, young people, staff and volunteers and parents should be informed of these prior to the start of the trip. In all circumstances, those organising trips and outings must pay careful attention to ensuring safe staff/child ratios and to the gender mix of staff especially on overnight stays.

Health and Safety arrangements require members of staff to keep the School aware of their whereabouts, especially when involved in activities outside the usual workplace.

### 24. Photography and Videos

Working with children and young people may involve the taking or recording of images. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity, safety and well-being of children and young people. Informed written consent from parents or

*accordance with agreed procedures*

- *ensure that their behaviour is appropriate at all times*
- *ensure that there are 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 reported to the Head Master or Deputy Head Master and can be justified if questioned*

*This means that staff and volunteers should:*

- *always have another adult present in out of school activities, unless otherwise agreed with the Head Master or Deputy Head Master*
- *undertake risk assessments in line with the school's policy where applicable*
- *have parental consent for the activity*
- *ensure that their behaviour remains professional at all times (see section 7)*
- *never share beds with a child/children or young people*
- *not share bedrooms unless it involves a dormitory situation and the arrangements have been previously discussed with the Head Master or Deputy Head Master, parents and children and young people*

*This means that staff and volunteers should:*

- *be clear about the purpose of the activity and about what will happen to the images when the activity is concluded*

carers (through the parent contract on entry to the School) and agreement, where possible, from the child or young person, should always be sought before an image is taken for any purpose. Staff and volunteers should be aware of those pupils for whom consent has been withheld.

Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media, or on the Internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

Staff and volunteers need to remain sensitive to any children who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings.

It is not appropriate for staff and volunteers to take photographs of children for their personal use.

- *be able to justify images of children in their possession*
- *avoid making images in one to one situations or which show a single child with no surrounding context*
- *ensure the child/young person understands why the images are being taken and has agreed to the activity and that they are appropriately dressed.*
- *use equipment provided or authorised by the School*
- *report any concerns about any inappropriate or intrusive photographs found*
- *always ensure they have parental permission to take and/or display photographs*

*This means that staff and volunteers should not:*

- *display or distribute images of children unless they have consent to do so from parents/carers*
- *use images which may cause distress*
- *use mobile telephones to take images of children*
- *take images 'in secret', or taking images in situations that may be construed as being secretive.*

## **25. Access to Inappropriate Images and Internet Usage**

There are no circumstances that will justify staff and volunteers possessing indecent images of children. Staff and volunteers 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.

Staff and volunteers should not use equipment belonging to the School to access adult pornography; neither should personal equipment containing these images or links to them be brought into the workplace. This will raise serious concerns about the suitability of the adult to continue to work with children.

Staff and volunteers should ensure that children and young people are not exposed to any inappropriate images or web links. The School and staff and volunteers need to ensure that

*This means that the School*

- *has clear e-safety policies in place about access to and use of the internet*
- *makes guidance available to both staff and volunteers and children and young people about appropriate usage.*

*This means that staff and volunteers should:*

- *follow their School's guidance on the use of IT equipment in the AUP*
- *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*

internet equipment used by children has the appropriate controls with regards to access. e.g. personal passwords should be kept confidential.

Where indecent images of children or other unsuitable material are found, the police and Local Authority Designated Officer (LADO) should be immediately informed. Staff and volunteers should not attempt to investigate the matter or evaluate the material themselves, as this may lead to evidence being contaminated which in itself can lead to a criminal prosecution.

## 26. Whistle blowing

Whistle blowing is the mechanism by which staff and volunteers can voice their concerns, made in good faith, without fear of repercussion. Mayfield has a clear and accessible whistle blowing policy that meets the terms of the Public Interest Disclosure Act 1998 (contained in the Child Protection Policy and a more detailed version in the Employee Handbook). Staff and volunteers who use whistleblowing procedure should be made aware that their employment rights are protected.

Staff and volunteers 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.

## 27. Sharing Concerns and Recording Incidents

Individuals should be aware of the School's child protection procedures, including procedures for dealing with allegations against staff and volunteers. All allegations must be taken seriously and properly investigated in accordance with local procedures and statutory guidance. Staff and volunteers who are the subject of allegations are advised to contact their professional association.

In the event of any allegation being made, to someone other than a manager, information should be clearly and promptly recorded and reported to the Head Master, Deputy Head Master/Designated Safeguarding Lead without delay.

Staff and volunteers should always feel able to discuss with their line manager any difficulties or problems that may affect their relationship with children and young people so that appropriate support can be provided or action can be taken.

*This means that the School:*

- ensures it has an appropriate whistle-blowing policy in place (contained in the Child Protection Policy)
- ensures that it has clear procedures for dealing with allegations against staff which are in line with Somerset Local Safeguarding Children Board's procedures.

*This means that staff and volunteers should:*

- report any behaviour by colleagues that raises concern regardless of source

*This means that staff and volunteers:*

- should be familiar with the School's system for recording concerns
- should take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the workplace

*This means that the School:*

- has an effective, transparent and accessible system for recording and managing concerns raised by any individual in the workplace

It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of staff and volunteers working with or on behalf of children and young people.