

Title	Code of Professional and Safe Conduct
Associated Policies	<ul style="list-style-type: none"> • Disciplinary Procedure (TPO/STA/22) • Dealing with Allegations of Abuse against Staff (TPO/STA/21) • Teaching Staff Performance, Development and Career Progression (TPO/STA/17) • Support Staff Performance, Development and Career Progression (TPO/STA/05) • Safeguarding and Child Protection (TPO/HS/05) • Whistleblowing (TPO/STA/19) • Data Protection (TPO/STA/25)

REVIEWED: December 2020

NEXT REVIEW: December 2023

1. Policy Statement

- 1.1 Brooke Weston Trust's overarching commitment is to the education and welfare of children and young people. This means all members of staff, Governors, Trustees and Volunteers are expected to act professionally to ensure the safety and welfare of all.
- 1.2 This Code of Professional and Safe Conduct is designed to give clear guidance on the standards of professional behaviour expected from all staff, volunteers and governors. All staff, governors, trustees, directors and volunteers have a duty to keep students and themselves safe and to protect children or each other from physical and emotional harm.
- 1.3 All Academy staff, governors, directors and volunteers will treat students fairly and with respect and take account of their knowledge, views, opinions and feelings seriously, valuing diversity and individuality and seek to foster an enthusiasm for learning, a spirit of enquiry, honesty and integrity, tolerance, social responsibility, recognition of a value of diversity, patience and a genuine concern for others.
- 1.4 There will be occasions when staff have to make decisions or take action in the best interests of the students. As Adults they are expected to make responsible and informed professional judgements about their own behaviour in order to secure the best interests and welfare of the young people in their care.
- 1.5 This Code of Professional and Safe Conduct complements other Brooke Weston Trust policies which set out rules and expectations of working for the Trust. Serious breaches of the professional and safe conduct policy may require further investigation under the appropriate disciplinary or capability policy, where standards of behaviour fall below what is expected.
- 1.6 This Code cannot provide an exhaustive list of what is, or is not, appropriate behaviour for adults. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to the required professional standards
- 1.7 Teachers should also refer to the Teachers' Standards (Part Two) – Personal and Professional Conduct; which sets out the behaviour and conduct that a teacher is expected to demonstrate in relation to their personal and professional conduct.
- 1.8 Principals should refer to the Headteachers' Standards for further non-statutory expectations of professional conduct.
- 1.9 All staff are expected to adhere to the statutory guidance, Keeping Children Safe in Education (2021), and to contribute to providing an environment that safeguards and promotes the welfare, safety, health and guidance of our students.
- 1.10 This policy does not form part of any employee's contract of employment and it may be amended following consultation with staff and trade unions. Where staff are subject to TUPE, if they had more favourable terms under a policy that was contractual, then these will continue to apply.

2. Who does this policy apply to?

- 2.1 For the purposes of this Code, the term and references to 'adult' means the following: governing body and trust members, all teaching and support staff (whether or not paid or unpaid, employed or self-employed and whether or not employed directly by the School, external contractors providing services to students on behalf of the School, teacher trainees and other trainees/apprentices, volunteers and any other individuals who work for or provide services on behalf of or for the School.
- 2.2 Employees of external agencies and providers of services (e.g. contract cleaners) will be expected to abide by the provisions of this policy, and it will be a term of their engagement with us that they do so, whilst working on Trust premises. Failure to follow the expectations set out in the professional and safe conduct policy may result in agency workers being asked to no longer provide their services.

3. Who is responsible for carrying out this policy?

- 3.1 The implementation of this policy will be monitored by the Principals and Executive Leadership Team and will remain under constant review by Brooke Weston Trust and with the recognised Trade Unions.

4. Staff Expectations

- 4.1 The Professional and Safe Conduct Policy is not an exhaustive list of what is, or is not, appropriate behaviour for adults. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to the following categories:
 - Confidentiality
 - Dress Code
 - Email, Internet Use and Electronic Communication
 - Social Media
 - Mobile Phone Use
 - Smoking, Vaping, Drug and Alcohol Use
 - Professionalism
 - Relationships Towards Students
 - Physical Contacts and Personal Privacy
 - Curriculum
 - Educational Visits and Clubs
 - Transporting Students
 - Sharing Concerns and Reporting Incidents

Confidentiality

- 4.2 Confidential or personal information about a student or their family must never be disclosed to anyone other than on a need to know basis and advice should be sought prior to disclosure to ensure such disclosure is in accordance with the Data Protection Policy (TPO/STA/25) . In circumstances where the student's identity does not need to be disclosed the information should be used anonymously. The information must never be used to intimidate, humiliate, or embarrass the student. The information must never be used by anyone for their own or others advantage (including that of partners, friends, relatives or other organisations).
- 4.3 Adults may have access to special category personal data about students and their families, which must be kept confidential at all times and only shared when legally permissible to do so and in the interests of the child. Records should only be shared with those who have a legitimate professional need to see them. In circumstances where special category personal data needs to be shared, the Data Protection Legislation contains 'safeguarding of children and individuals at risk' as a processing condition that allows practitioners to share information without consent if it is not possible to gain consent. In such cases, adults have a duty to pass the information on without delay to those with designated safeguarding responsibilities.

- 4.4 Confidential information about students must be held securely. Confidential information about students must not be held off the School site other than on security protected School equipment. The information must only be stored for the length of time necessary to discharge the task for which it is required.
- 4.5 If a member of staff is unsure about the storage of or sharing of information they must seek guidance from a member of the Senior Leadership Team.
- 4.6 In cases of suspected or alleged abuse, staff have a duty to pass on relevant information to the Designated Safeguarding Lead for Child Protection or one of the deputies. If a student or parent/carer makes a disclosure regarding abuse or neglect, the adult must follow the Academy's procedures and the guidance as set out in Keeping Children Safe in Education (DfE). Please refer to the Brooke Weston Trust Dealing with Allegations of Abuse against Staff (TPO/STA/21). Confidentiality must not be promised to the student or parent/carer, however, reassurance should be given that the information will be treated sensitively.

Dress Code

- 4.7 An individual's dress and appearance are matters of personal choice and self-expression. However, when attending the Academy during term time; either during contracted hours or when visiting for other purposes all Academy staff must ensure that they are dressed decently, safely and appropriately to the tasks they undertake. All employees are therefore required to be neat, clean, tidy and well-groomed whilst at work, whether working on the Academy's premises or elsewhere. Adult dress should, under no circumstances, detract from student learning, but should be used as an important means of creating positive role models. It is also important to ensure that employees are safe and dressed appropriately depending on the nature of their job.
- 4.8 The Academy recognises the diversity of cultures, religions and disabilities of its employees and will take a sensitive approach when this affects dress and uniform requirements. The Academy will not be discriminatory in respect of the protected characteristics in the Equality Act 2010 for age, disability, gender reassignment, religion or belief, sex, or sexual orientation.
- 4.9 The Adult Dress Code is designed to guide managers and employees on the standards of dress and appearance. The Code is not exhaustive in defining acceptable and unacceptable standards of dress and appearance and staff should use common sense in adhering to the principles.
- 4.10 Except on those occasions specifically stated by the Principal, employees are required to wear a shirt and tie, tailored trousers or suits, tailored skirts or dresses. Dresses and skirts must be of reasonable length and tops and blouses must be smart and not revealing.
- 4.11 The Academy will not discriminate against employees who wear articles of clothing that manifests their religious faith. The Academy will liaise with employees on an individual basis to allow them to manifest their faith in a way that does not conflict with the standards of dress, or health and safety requirements
- 4.12 In addition, where the Academy provides an item or items of uniform to enable the employee to more appropriately carry out their duties, this must be worn at all times whilst on duty.
- 4.13 Hair should be neat and tidy. Headgear worn for religious purposes is permitted.
- 4.14 Employees who wear facial coverings for religious reasons are expected to remove them whilst on duty in order to ensure that the member of staff is identifiable to others.
- 4.15 Any jewellery worn by staff should not be excessive or a health and safety hazard.
- 4.16 Earrings may be worn but no other body piercing should be visible, with the exception of religious requirements.
- 4.17 Personal adornment of all descriptions should be kept to a minimum to reflect the professional, business-like ethos of the Academy.
- 4.18 Any tattoos should not be visible to others whilst on duty.
- 4.19 Certain items are not permitted at work under any circumstances, except on those occasions specifically stated by the Principal, examples of such are given below:

- Jeans or scruffy/torn trousers
- Combat trousers or chinos
- Shorts or cropped trousers
- Casual sports clothing (for example tracksuits and football shirts)
- Sweatshirts or T-shirts bearing slogans or symbols
- Trainers and flip-flops
- Vest tops, camisoles or strapless tops

Overly tight or revealing clothes, including mini-skirts, excessively low-cut tops or garments revealing the midriff

- 4.20 Any employee whose job involves working with machinery, chemicals or working with food must adhere to the requirements of current health and safety and hygiene legislation.
- 4.21 In serious cases, where in the opinion of the Principal an employee's appearance is unacceptable, the employee may be required to return home to change. In these circumstances, the employee may not be paid for the duration of their absence from work.

Email, Internet Use and Electronic Communication

- 4.22 All staff must be aware that no email sent using their employee account is private. It is therefore very important to use professional language at all times as any communications could and may be made public at any time. The Trust has a separate policy on Internet use, electronic communication and security (Online Safety Policy (TPO/STU/12)) which forms part of this Code of Professional and Safe Conduct.
- 4.23 Under no circumstances should Academy staff access inappropriate images in the Academy. Deliberately accessing pornography or inappropriate images will be treated as gross misconduct and may be a criminal offence. Accessing indecent images of children on the Internet and making, storing or disseminating such material is illegal and is likely to lead to criminal prosecution and may result in an individual being barred from working with children and young people.
- 4.24 As with all personal internet use, staff, governors and volunteers using social media sites must not access social media sites for personal reasons during working time.

Social Contact and Use of Social Media

- 4.25 Adults are personally responsible for what they communicate in social media and must bear in mind that what is published might be read by colleagues, students, parents and carers and the general public. Adults must ensure that their online profiles are consistent with the professional image expected and must not post material which damages the reputation of the Trust, make Potentially defamatory remarks towards the school, the Trust, staff, governors, students, students' relatives, partner organisations etc, or post anything which causes concern about their suitability to work with children and young people. Those who post material which may be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct, which may be dealt with under the disciplinary procedure. Even where it is made clear that the writer's views on such topics do not represent those of the Trust, such comments are inappropriate.
- 4.26 This covers all types of social media platforms, which include but are not limited to:
- Social networking sites e.g. Facebook, Instagram, Snapchat
 - Blogging
 - Micro blogging sites e.g. Twitter
 - Video clips and podcasts e.g. YouTube
 - Discussion forums
- 4.27 It is recommended that adults ensure that all possible privacy settings are activated to prevent students from making contact on personal profiles and to prevent students from accessing photo albums or other personal information which may appear on social networking sites.

- 4.28 Staff and volunteers must not give their personal details, such as home or mobile telephone number, home or personal email address or social networking details to students unless the need to do so is agreed with senior management. If, for example, a student attempts to locate an adult's personal contact details and attempts to contact or correspond with them, the adult should not respond and must report the matter to their manager
- 4.29 Brooke Weston Trust requests that complaints are made in line with the Complaints Policy (TPO/QA/02) which is a constructive approach to address any concerns, rather than negative opinions or complaints being aired on social media platforms. No conversation about any matter of complaint or dispute should be initiated by members of staff via any social media channel. They should instead refer the issue to the relevant senior member of staff.
- 4.30 Adults should not accept students as "friends". Students should not be discussed on Social Media sites and information must not be posted that would disclose the identity of students. Photographs or videos of students or their homes must not be posted on social media sites.
- 4.31 Adults must not represent their own views/opinions as being those of the school or the Brooke Weston Trust, and they should not use any offensive or discriminatory language.
- 4.32 Employee groups should not be created on social media sites such as Facebook.
- 4.33 In the event that a dispute with a third party or parent is initiated or perpetuated by means of social media this must be reported to the school's Executive Principal as soon as possible. No response to any post should be made until directed to do so.

Mobile Phone Use

- 4.34 As a general rule, mobile phones are not to be used by members of staff during the working day for personal use.
- 4.35 Where provided, staff must use Trust-issued mobile phones when contacting parents or students. Under no circumstances should staff be providing their personal phone numbers to parents or students. Staff must use phones provided by the school to conduct all work-related business.

Smoking, Vaping, Drug and Alcohol Use

- 4.36 In pursuit of ensuring the health and safety of Academy Users, the Brooke Weston Trust will not tolerate the presence or misuse of illegal drugs, drugs with no accepted medicinal purpose, new psychoactive substances (legal highs), volatile substances, the improper use or supply of solvents, tobacco, alcohol or other prohibited substances (together referred to as "drugs" in this policy) on its property or on off-site school trips and will act promptly and appropriately on such occasions in accordance with government guidance.
- 4.37 The Brooke Weston Trust adopts a no-smoking/vaping policy at all of its sites for staff, visitors and students alike. All staff who wish to smoke/vape may do so in their own time during designated breaks and in the designated smoking/vaping area. Members of staff are not permitted to smoke/vape whilst carrying out their duties and responsibilities. Staff may bring tobacco onsite, but this should be stored safely away from students.
- 4.38 It is illegal for any person to be found in possession or to supply Class A, B or C drugs. Should drugs or alcohol be found in the possession of an Adult, an investigation under the Disciplinary Policy may be carried out. In taking temporary possession and disposing of suspected illegal drugs the Academy will endeavour to:
 - Ensure that a second adult witness is present throughout;
 - Seal the sample in a plastic bag and include details of the date and time of the seizure/find and witness present;
 - Store it in a secure location, such as a safe or other lockable container with access limited to senior members of staff;

- Normally notify the police without delay, who will collect it and then store or dispose of it in line with locally agreed protocols;
- Record full details of the incident, including the police incident reference number;
- Identify any safeguarding concerns and develop a support and disciplinary response.

4.39 Adults should be fully aware that there will be serious consequences if anyone is caught dealing drugs on the Academy's property or on off-site school trips. Such behaviour is highly likely to result in a disciplinary investigation as well as police involvement.

Professionalism and maintaining trust in the profession

4.40 All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of students. An individual's behaviour, either in or out of the workplace should not compromise their position within the Academy or bring the Academy into disrepute.

4.41 Staff should maintain appropriate professional boundaries and ensure that their relationships with students are appropriate to the age and gender of the student, avoiding improper contact or relationships with students and respecting their unique position of trust. Attitudes, demeanour and language all require care and thought, particularly when dealing with adolescent boys and girls.

4.42 Many staff have a pastoral responsibility for students and in order to fulfil that role effectively, there will be occasions when conversations will cover particularly sensitive matters. Staff must, in these circumstances, use their discretion to ensure that, for example, any probing details cannot be construed as unjustifiable intrusion.

4.43 All staff should avoid situations both within and outside the professional context which could be in breach of the criminal law or may call into question their fitness to be employed in a school. Staff must abide by all current Safeguarding policies, guidance and procedures.

4.44 Adults are required to notify the School immediately of any allegations of misconduct that are of a safeguarding nature made against them (or implicating them), by a child or adult in relation to any outside work or interest (whether paid or unpaid) and, of any arrest or criminal charge whether child-related or not.

4.45 Materials of a sexually explicit nature such as books, magazines, DVDs or any such material must not be brought into the Academy or stored on the Academy's property, including staff laptops.

4.46 All staff may, from time to time, be approached by students for advice. Students may also appear distressed and staff may feel the need to ask if all is well. In such cases, staff must judge whether it is appropriate for them to offer counselling and advice or whether to refer the student to another member of staff with acknowledged pastoral responsibility for the particular student.

4.47 Use of insensitive, disparaging or sarcastic comments is unacceptable, as is drawing attention to any of the students' physical attributes, even in a positive manner.

4.48 If staff are in any doubt about the appropriateness of their role in confidential situations, they should stop the conversation/discussion, refer immediately to a senior member of staff for advice and revisit the relevant policies.

Professional Relationships Towards Students

4.49 All staff must maintain an up-to-date knowledge and understanding of, implement, and comply with, child and protected adult procedures as they may currently apply in their workplace; all staff should aim to be a positive role model to students

4.50 All staff should be aware of the dangers which may arise from private interviews with individual students. Staff must recognise their vulnerability to allegations and every attempt should be made to ensure that the safety and security needs of both staff and student are met. It is recognised that there are many occasions when confidential one to one interviews must take place but, where possible, such interviews should be conducted in a room with visual access, or with the door open, or in a room or area which is likely to be frequented by other people.

- 4.51 Pre-arranged meetings with students away from the Academy premises are not permitted unless the specific approval of the parent or carer and of the Principal or a Vice Principal has been obtained in advance of the meeting taking place.
- 4.52 **Sexual Contact with Young People and Abuse of Trust**
Any sexual behaviour by a member of staff, volunteer or governor with or towards a young person is illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour and they are additionally protected by specific legal provisions regardless of whether there is consent or not. The Sexual Offences Act 2003 specifically establishes the abuse of trust in relation to teachers and other adults who are in a relationship of trust with children or young people under 18-year olds as a criminal offence.
- 4.53 Adults must not have sexual relationships with students or have any form of communication with a child, which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, texts, electronic mail, phone calls, social networking contact or physical contact. The adult should not make sexual remarks to, or about, a child or discuss their own sexual relationships with or in the presence of students. Adults should take care that their language or conduct does not give rise to comment or speculations. Attitudes, demeanour and language all require care and thought.
- 4.54 Sexual behaviour includes non-contact activities such as causing a young person to engage in or watch a sexual act or the production of indecent images of children. Sexual abuse is defined as “forcing or enticing a child or young person to take part in sexual activities not necessarily involving a high level of violence whether or not the child is aware of what is happening” (*Keeping Children Safe in Education*).
- 4.55 There are occasions when adults embark on a course of behaviour known as ‘grooming’ for which the sole purpose is to gain the trust of a child or young person and manipulate the relationship so that sexual abuse can take place. Staff should be aware that conferring special attention without good reason or favouring a student has the potential to be construed as grooming which is a criminal offence.
- 4.56 A relationship between a member of staff, volunteer or governor and a child or young person cannot be a relationship between equals. There is the potential for exploitation and harm and all adults have the responsibility to ensure that the unequal balance of power is not used for personal advantage or gratification.
- 4.57 **Infatuations or Crushes**
Adults must recognise that a student may be strongly attracted to a member of staff and develop an infatuation. Any member of staff who becomes aware that such an infatuation may be developing must report this immediately to the Principal or DSL/DDSL. The situation must be taken seriously, and the adult must be careful not to give any encouragement and should be aware that any insensitive and careless reactions may provoke false accusations. They should report any incident with this potential so that appropriate action can be taken to avoid any hurt, distress or embarrassment. The situation will be taken seriously, and the adult should be careful to ensure that no encouragement of any kind is given to the student. It should also be recognised that careless and insensitive reactions may provoke false accusations.

Physical Contact and Personal Privacy

- 4.58 There are occasions when it is entirely appropriate for a member of staff to have physical contact with students but it is crucial that they do so in ways appropriate to their professional role. Where physical contact is made with students it should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, ethnicity and background.
- 4.59 Physical contact must never be secretive or casual or for the gratification of the adult or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and circumstances must be reported to the Principal or Vice Principals immediately.
- 4.60 There may be occasions when a distressed student needs comfort and re-assurance. This may include age appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not viewed as threatening, intrusive or subject to misinterpretation. Where a member of staff is concerned

about the need to provide this sort of care and re-assurance they should seek advice from a senior manager.

- 4.61 Some staff, such as PE staff and those who provide music tuition, may have to initiate physical contact in order to demonstrate the use of equipment or assist them with an exercise. This should be done with the student's agreement. Contact under these circumstances should be for the minimum amount of time and take place in an open environment.
- 4.62 Physical contact which occurs regularly with a student is likely to raise questions unless the justification is part of a formally agreed plan, e.g. in relation to students with SEND or physical disabilities. Where feasible staff should seek the student's agreement and the physical contact should be for the minimum amount of time and take place in an open environment.
- 4.63 Students are entitled to respect and privacy when changing clothes or taking a shower, however there needs to be an appropriate level of supervision in order to safeguard students, satisfy health and safety considerations and ensure that bullying does not occur. Such supervision should be appropriate to the needs and age of the students concerned.
- 4.64 Staff who have to administer First Aid should ensure whenever possible that other students or another adult are present if they are in any doubt as to whether necessary physical contact could be misconstrued. Wherever possible, staff that have to help students with physical disabilities should be accompanied by another adult.

Curriculum

- 4.65 Many areas of the curriculum can include or raise subject matter which is sexually explicit or otherwise of a sensitive nature. When using teaching materials of a particular sensitive nature, staff should be aware of the danger and that their selection could be misinterpreted and may be criticised after the event. Care should be taken to ensure that any potential areas of risk or sensitivity are highlighted in advance.
- 4.66 The curriculum can sometimes include or lead to unplanned discussion about a subject matter of a sexually explicit nature or otherwise sensitive issue. Responding to students' question can require careful judgement and staff should exercise their professional judgement in responding to such questions.

Educational Visits and Clubs

- 4.67 Staff should be particularly careful when supervising students on residential activities. They should always ensure that the male to female staff ratio is adequate for the effective supervision of both sexes. Similarly, the less formal approach adopted in extra-curricular activities generally can be open to misinterpretation. Although more informal relationships in such circumstances tend to be usual, the standard of behaviour expected of staff will be no different from the behaviour expected within the Academy. Staff acting in any supervisory capacity should not drink alcohol in the presence of students.

Transporting Students

- 4.68 In certain circumstances staff, volunteers or governors may agree to transport students. Wherever possible transport arrangements should be made in advance and wherever possible practicable transport should be provided other than private vehicles and preferably at least one additional adult accompanying the driver as an escort. It is inappropriate for adults to offer lifts to a student, unless the need has been agreed with a manager and, if this falls outside their normal working duties, has been agreed with parents/carers.
- 4.69 Adults should ensure that their behaviour is safe and that the transport arrangements and the driver of the vehicle meet all legal and insurance requirements and health and safety considerations.
- 4.70 There may be occasions where a student requires transport in an emergency situation or where not to give a lift may place a student at risk. Such circumstances must always be recorded and reported to a senior manager and parents/carers.

Sharing Concerns and Reporting Incidents

- 4.71 All staff, volunteers and governors must be vigilant and have a duty to share and report concerns or incidents. Whistleblowing is the mechanism by which staff can voice their concerns made in good faith

without fear of repercussions. The procedures for doing so are outlined in the Brooke Weston Trust's policy on Whistleblowing (TPO/STA/19).

Other Matters

- 4.72 Outside interests and additional employment: Whilst staff's life away from school is their own concern, they should not put themselves in a position where there is a conflict of interest with their job at the school.
- 4.73 Other issues in relation to conduct are set out in the Trusts HR policies. The conduct set out in those documents will set out the Trust's position on issues including:
- Accepting gifts & hospitality (Anti-Bribery & Corruption Policy (TPO/QA/01))
 - Disclosure of criminal convictions (Disclosure & Barring Service Checks Policy (TPO/STA/03))
 - Confidential data (staff contracts, paragraphs 25-26)
 - Fitness for work (staff contracts, paragraph 9, Staff Absence Policy (TPO/STA/13))

Should you have any questions about anything not covered in this policy please refer to you Principal or the Trust HR Manager.

5. Policy Review

- 5.1 The implementation and impact of this policy will be monitored as part of the Academy's annual internal review and reviewed on a three-year cycle. This will be undertaken in consultation with the recognised trade unions