

## Safeguarding – Staff Code of Conduct

(Written to comply with DfE statutory guidance – Keeping children safe in education, September 2021)

### Introduction

The Aspire School and their staff form part of the wider safeguarding system for children. Everyone who comes into contact with children and their families and carers has a role to play in safeguarding children. In

order to fulfil this responsibility effectively, all professionals should make sure their approach is child-centred. This means that they should consider, at all times, what is in the **best interests** of the child.

**Safeguarding and promoting the welfare of children is defined for the purposes of this policy as:**

- **protecting children from maltreatment;**
- **preventing impairment of children’s mental and physical health or development;**
- **ensuring that children grow up in circumstances consistent with the provision of safe and effective care;**
- **and taking action to enable all children to have the best outcomes.**

This code has been drawn up to assist staff in maintaining entirely proper and professional relationships with young people. It attempts to provide a clear and unambiguous picture of the boundaries associated with staff roles and the use of power and authority. As well as protecting the children and young people we come into contact with, the code of conduct will help staff avoid situations that might lead to allegations against them.

As an employee working with children and young people, staff are required to demonstrate high standards in their exercise of authority, management of risk, the proper use of resources and in the active protection of children and young people from discrimination and avoidable harm. This code of conduct should reassure other parties such as parents, schools, the Education Authority that a clear strategy exists to safeguard children and young people.

This code of conduct applies in a context where any of the following are true:

- a child or young person is currently placed at Aspire School
- a child or young person was formerly placed at Aspire and is still under the age of 19<sup>1</sup>;
- a child or young person is a current or former student under the age of 19, attending non-TLG activities (such as youth group organised together with the Partner Organisation or church).

Aspire expect staff to take full responsibility for their conduct. Failure to adhere to the principles and guidelines of this code of conduct could constitute a breach of contract leading to disciplinary procedures, a consequence of which may be immediate dismissal.

### Keeping Children Safe in Education 2021

All those working regularly with children in Aspire School must read ‘Keeping Children Safe in Education – Part 1 (DfE 2021), which sets out what all staff need to know, what they need to look out for and where they should report their concerns. Where appropriate, staff or volunteers not working directly with children may instead read ‘Keeping Children Safe in Education – Annex A (DfE 2021), which contains a condensed version of the information in KCSIE Part 1. This guidance should be read in conjunction with the Centre’s Child Protection Policy, which sets out specific local arrangements and known local issues.

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<sup>1</sup> Although a person is legally recognised as an adult at age 18, Aspire has taken advice from Aspire School Children’s Safeguarding Board in setting the age of permitted personal contact at 19.

## **Guidelines for all staff**

Aspire School staff have a duty to:

- Train and educate the children and young people assigned to them according to the learning needs of those young people;
- Promote the general progress and well-being of individual children and young people and of any class or group assigned to them;
- Ensure the health and safety of children and young people while they are within their responsibility;
- Provide advice and guidance to children and young people on educational, personal and social matters including providing information about sources of more expert advice on specific questions;
- Maintain and promote the development of good behaviour management among children and young people.

Staff members should give paramount consideration to children and young people's well-being by respecting and attempting to understand the following:

- The ascertainable wishes and feelings of the child/young person concerned (considered in the light of his/her age and understanding);
- The child/young person's physical, emotional, spiritual and learning needs;
- The likely effect on the child/young person of any change in his/her circumstances;
- The child/young person's age, gender, background and any other relevant characteristics;
- Any harm that the child/young person has suffered or is at risk of suffering;
- Staff members are in a position of trust and they have a duty of care to the child/young person for whom they are responsible;
- Staff should never seek gratification of their own emotional or physical needs in their relationships with young people and relationships must always be professional, appropriate and justifiable.

The following principles provide the basis for our organisation to identify and manage inappropriate behaviour by our staff and should therefore be accessible to all members of staff.

### ***General relationships with children/young people***

Staff should ensure that their relationships with children/young people are appropriate to the age and gender of the child/young person, taking care that their conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when dealing with adolescent boys and girls.

Comments by staff to children/young people, either individually or collectively, can be misconstrued. As a general principle, staff must not make unnecessary comments to and/or about children/young people, which could be construed to have a sexual connotation. It is also unacceptable for staff to introduce or to encourage debate amongst children/young people in a class, training situation or elsewhere, which could be construed as having a sexual connotation that is unnecessary given the context of the training session

or the circumstances. However it is recognised that a topic raised by a child/young person is best addressed rather than ignored.

Staff should be careful in their use of language/terminology that may be misconstrued.

The systematic use of insensitive, disparaging or sarcastic comments such as those that refer to a child/young person's body, intelligence or ethnicity in any way are always unacceptable.

Staff should encourage and praise children/young people as appropriate.

If a member of staff feels that a child/young person is developing a crush or infatuation it is their responsibility to discuss the situation with their Principal.

When a member of staff has a pre-existing relationship with a Aspire student and their family or friends this must be disclosed to their line manager without delay. Any contact which occurs with the student/their family/friends whilst they are a Aspire student and afterwards until the young person is aged 19, is deemed to come under the scope of this policy. The member of staff has a responsibility to ensure that any and all contact with a young person, and their family/friends, through a pre-existing relationship is disclosed to their line manager without delay.

When a young person or their family/friends attend a group/church which the staff member also attends, it is advised that staff remain conscious of their professional relationship with the young person/family/friends at all times. It is the staff member's responsibility to ensure that relevant people who have pastoral/leadership responsibility within the group/church for the young person (including the young person's parent/carer), are aware of the professional relationship and hold the staff member accountable for their conduct. Furthermore the staff member should record that the young person attends the group/church through Aspire electronic record keeping, 'Arbor', recording the name of the group/church attended; the date that relevant people were informed and the name of the staff member who also attends the church.

If a former student under the age of 19 requests on-going support from a member of staff, the staff member must continue to follow this code of conduct in order to be vigilant of the need to remain professional and ensure their safety and the young person's safety.

### ***Meetings with young people***

Staff should be aware of the potential risks which may arise from interviewing individual children/young people in private. It is recognised that there will be occasions when confidential interviews must take place but 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.

Where such conditions cannot apply, staff are advised to ensure that another adult knows that the interview is taking place. The use of "engaged" signs or lights are not advisable and where possible another child/young person or another adult should be present or nearby during the interview. If it is necessary to detain a child/young person for any length of time after the end of normal hours, prior warning must be given to the child's/young person's parents/carers or referrer.

Meetings with children/young people away from the Aspire School premises should not take place unless specific approval has been obtained from those responsible for the young person. This includes for attendance at non-Aspire activities such as a youth group organised by the partner organisation or a local church. If such a meeting is planned, Aspire staff should obtain permission from the young person's parent/carer, referrer and the Aspire Head Teacher. If the Aspire Head Teacher is not available then permission may be obtained from the Centre Support Manager. If it is not possible to obtain permission the meeting is not to proceed and should be rearranged once permission has been granted.

Staff should not take children/young people alone in a car journey however short. Where the journey is unavoidable an approved taxi firm should be used.

### ***Unplanned social contact***

Social contact with children/young people, other than that which is school based or organised by a school, should be positively resisted.

It is recognised that there may be occasions when accidental or reasonable social contact may be unavoidable, e.g. meeting children/young people at social venues open to the general public or in shops or at private parties. In such circumstances, staff should be mindful at all times of their professional relationship and inform their line manager as soon as possible after the event.

### ***Social Media and communication***

Under no circumstances should a member of staff give out their personal contact details (including phone numbers) to a young person, or their family/friends. Furthermore, staff should not use a personal phone to contact a young person. Staff should not have a young person's contact details stored on their phone. Staff must not use their personal phone to have contact with a student or former student until the student reaches the age of 19. Head Teachers and some senior staff will be provided with a company phone. This phone is to be used only in a professional capacity and not for personal conversations with young people or their family/friends. Any contact made and received will be logged on "Lighthouse" under contact records, unless it is of a sensitive manner in which case it will be logged as a Concern in line with the Child Protection Policy.

Facebook and other social networking sites are not to be used as a means of communicating with young people and their family/friends. Any request by a young person or their parent/carer to be a 'friend' or linked with a staff member is not to be accepted. If a young person or their parent/carer "follows" a member of staff on Twitter, that follower should be blocked. When a young person or their friends/family makes repeated requests this must be reported to your line manager without delay. Staff are responsible for ensuring that young people and their friends/family are not able to access their personal details, including photos, online. Staff who use social networking sites must ensure that they maintain the maximum privacy level enabled. No member of staff will have contact via Facebook or other social networking sites until the young person has reached the age of 19.

If staff choose to participate in online gaming or other online activities which enable 'chat' to take place they must never enter into conversation with a young person through this. If a young person does attempt contact through this media the staff must maintain professional boundaries and inform their line manager of what happened, without delay.

### ***Acceptable use of technologies***

Technology plays an important role at Aspire. It is often used within lessons and for remote learning as a central resource to help with the educational development of our students. It also helps with the administrative side of our work with young people.

At Aspire School, we understand the responsibility to educate our students on e-safety issues; teaching them appropriate behaviour and skills to enable them to remain both safe and legal whilst using technology at the Aspire School and at home.

Aspire's E-Safety policy aims to highlight some of the issues and risks associated with ICT and provides guidance on how ICT should/could be used. Acceptable Use Agreements must be signed by staff, parents and students to confirm they understand and are acting to minimise the risks.

### ***Physical contact***

As a general principle, staff should not engage in physical contact with children/young people. There may be very limited occasions when a child/young person needs comfort or reassurance, which may include physical comforting. Any such contact should be appropriate and sensitive to the child/young person's wishes and feelings and should be a response to an exceptional situation. There should be no unwanted physical contact, however well intentioned.

It is recognised that some children/young people require physical assistance due to a disability; however such contact must always be acceptable to the child/young person and be within their agreed plan of care. Aspire staff must be aware that any physical contact could be misconstrued by a child/young person, parent/carer or observer. Such contact can include well intentioned informal and formal gestures such as putting a hand on the shoulder or arm, which, if repeated with an individual child/young person, could lead to serious questions being raised.

Some staff are likely to come into physical contact with children/young people from time to time in the course of their training activities, for example when showing a child/young person how to use a piece of apparatus or equipment. Staff should be aware of the limits within which such contact should properly take place and should consider the possibility of such contact being misinterpreted by the child/young person. Staff should never engage in 'horse-play' or play fighting with children/young people.

Any form of physical punishment of children/young people is unlawful, as is any form of physical response to misbehaviour unless it is by way of restraint. It is particularly important that staff understand this both to protect their own position and that of the organisation.

There may be occasions where the only option to prevent a student from inflicting injury to himself/herself or others is for members of staff to perform a physical restraint. In such cases, if possible, the restraint should be carried out by CPI-trained staff. The minimum force necessary must be used and any action taken must be to restrain only. Where members of staff have taken action to restrain a child/young person they must report the matter to their manager(s) and the incident must be recorded in the Incident Book.

### ***The practice of physical intervention***

Physical intervention can be defined as "the reasonable application of the minimum necessary force to overpower a child/young person with the intention of preventing them from harming themselves or others, or from causing serious damage to property".

Physical intervention should only be used exceptionally, when all non-physical interventions (such as removing other students and staff from the room) have failed. It should be primarily for the benefit of the child/young person/s and though immediate, should as far as possible be a considered response.

Physical intervention should not be used as a form of punishment or, in normal circumstances, to enforce compliance with instructions. It should not be attempted where the member of staff is put at undue risk.

Where possible, physical intervention should be carried out by MAPA/CPI-trained staff. Incidents of physical intervention should be subject to debriefing for staff involved and lead to a review of strategies for managing the behaviour of children/young people. All incidents should be comprehensively recorded in line with Aspire's Incident Reporting Policy.

Where staff themselves are the subject of physical attack by children/young people or their parents/carers, they should follow guidelines in the Incident Reporting Policy and discuss the incident with their manager.

Where physical intervention is deemed necessary it is advised that two staff that have completed the appropriate MAPA/CPI non-violent crisis intervention training, is used. This should only be used as a very last resort where a threat of danger to a young person or others is greater than the intervention.

### ***Sexual contact or relationships***

There is NO acceptable behaviour that has either explicit sexual connotations or innuendo. Any such behaviour will always be treated as extremely serious and must be reported immediately.

If an older person is in a position of authority, influence or trust over children and young people at Aspire considers that it is inappropriate for them to become involved in a sexual relationship with a young person under the age of 19, even if they are both over the age of consent<sup>2</sup>.

Staff should not enter into a sexual relationship with any Aspire student, including any former Aspire student until they are aged at least 19 and at least 3 years have passed following the date they finished their Aspire School placement.

### ***Provision of advice and guidance***

Staff may from time to time be approached by children/young people for advice. Children/young people 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 child/young person to a member of staff of another gender or to one with acknowledged expertise, experience or responsibility for that young person. Staff must in these circumstances use their discretion to ensure that the child/young person is not questioned to the extent that it is construed as unjustified intrusion.

Staff are advised never to stop a free-flowing account/disclosure of abuse but to make sure that at an appropriate point they inform the child/young person that they **cannot** keep such information confidential and need to tell someone else to get help. Example: 'Thank you for telling me, I now need to tell (where possible give the name and position of who will be told) so that we can get some help for you (and younger siblings).'

A child/young person may ask a member of staff to 'keep a secret', or to promise not to tell other people what they are about to tell them. Where this happens the member of staff must explain that they are not able to promise confidentiality as they may need to tell someone else if they are to help them.

Where a child/young person is told by a member of staff that they **cannot** promise confidentiality, the child/young person may decide not to continue telling. If a child/young person starts to say something and then stops, the member of staff needs to try to leave it open for the child/young person to come back to the discussion. The member of staff must still act, following the Child Protection procedures (see Child Protection Policy). It may be appropriate to refer the young person to available counselling/medical services, via their GP or a school /college based service.

### ***First aid and personal care***

If a child/young person complains of injury or sickness, a judgement should be made as to whether he/she should be referred to a person qualified in First- Aid or advised to see his/her own doctor. The child/young person's parents/carers should also be informed. Staff who have to administer first aid (normally a trained First Aider) are advised that, wherever possible, another adult is present, if they are in any doubt as to whether necessary physical contact could be misconstrued.

Another adult should accompany staff who have to help children/young people with personal care and young people should, wherever possible, be encouraged to deal with such matters themselves.

Where it is necessary to assist with/supervise dressing or undressing, staff must be of the appropriate

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<sup>2</sup> The Sexual Offences (Amendment) Act 2000 makes it an offence for a person aged 18 or over to have sexual intercourse or engage in other sexual activity with a person under that age where they are in a "position of trust" in relation to the younger.

gender and be careful to protect the dignity of the child/young person.

Male staff should not, as a general rule, enter female toilets nor should female staff enter male toilets, except in extreme situations such as fire, or where there may be a threat to life or limb.

### ***Reporting of incidents and low-level concerns***

It is important to create a culture of openness, trust and transparency and to work together to promote the highest standards of care for our students. Staff are encouraged to share with their manager or school development manager, any concern - no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO (as set out in Part 6 of the Child Protection Policy).

This will allow managers to address any unprofessional behaviour and support the individual to correct it at an early stage.

In addition, following any incident where a member of staff feels that his/her own actions have been, or may be, misconstrued, or where they believe they have behaved in such a way that they consider falls below the expected professional standards, the member of staff should report the matter to their manager. Such reporting is especially important in any case where a member of staff has been obliged to restrain a child/young person physically to prevent him/her from inflicting injury to others or themselves, or where he/she has been personally attacked by another child/young person, parent or carer. Aspire's Incident Reporting Policy outlines types of incidents and the reporting that is required.

### ***Sharing information and reporting concerns***

All child protection concerns will be shared with the Designated Safeguarding Lead for the Aspire School and logged on Arbor. This also includes situations of abuse which may involve staff members. The DSL will usually decide whether to make a referral to children's social care, but it is important to note that any staff member can refer their concerns to children's social care directly<sup>3</sup>. Where appropriate, information may be shared with the staff team, in order to prevent collusion and to protect the children/young people from harm.

### ***Whistleblowing***

Aspire School expects the highest standards of conduct from all employees, and will treat seriously any concern that an employee may have about illegal or improper conduct. Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention to their school Principal, HR, Management Committee or Proprietor any serious impropriety or breach of procedure.

Aspire's policy on whistleblowing sets out when and how employees can notify the relevant person of any reasonable suspicion of illegal and/or improper conduct by a colleague. It sets out examples of illegal and/or improper conduct and actions that may be taken in response to a concern being raised.

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<sup>3</sup> [Advice on whistleblowing](#) can be found on GOV.UK