

# ERA EDUCATION

## COMPANY

### Code of conduct

September 2020 (review September 2021)

#### 1. Standards of behaviour

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children. They should adopt high standards of personal conduct in order to maintain confidence and respect of the general public and those with whom they work. There may be times where an individual's actions in their personal life come under scrutiny from the community, the media or public authorities, including with regard to their own children, or children or adults in the community. Staff should be aware that their behaviour, either in or out of the workplace, could compromise their position within the work setting in relation to the protection of children, loss of trust and confidence, or bringing the employer into disrepute.

**2. Dress and appearance** Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner which could be viewed as offensive or inappropriate will render themselves vulnerable to criticism or allegation. This means that staff should wear clothing which:

- promotes a positive and professional image
- 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
- is compliant with professional standards

**3. Infatuations and 'crushes'** All staff need to recognize that it is not uncommon for pupils to be strongly attracted to a member of staff and/or develop a 'crush' or infatuation. They should make every effort to ensure that their own behaviour cannot be brought into question, does not appear to encourage this and be aware that such infatuations may carry a risk of their words or actions being misinterpreted. Any member of staff who receives a report, overhears something, or otherwise notices any sign, however small or seemingly insignificant, that a young person has become or may be becoming infatuated with either themselves or a colleague, should immediately report this to the DSL. In this way appropriate early intervention can be

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taken which can prevent escalation and avoid hurt, embarrassment or distress for those concerned. A DSL should give careful thought to those circumstances where the staff member, pupil and their parents/carers should be spoken to and should ensure a plan to manage the situation is put in place.

**4. Communication with children** (including the use of technology) Staff should ensure that they establish safe and responsible online behaviours, working to local and national guidelines and acceptable use policies which detail how new and emerging technologies may be used. Communication with children both in the 'real' world and through web based and telecommunication interactions should take place within explicit professional boundaries. This includes the use of computers, tablets, phones, texts, e-mails, instant messages, social media such as Facebook and Twitter, chat-rooms, forums, blogs, websites, gaming sites, digital cameras, videos, web-cams and other hand-held devices. (Given the ever-changing world of technology it should be noted that this list gives examples only and is not exhaustive.) Staff should not request or respond to any personal information from children other than which may be necessary in their professional role. They should ensure that their communications are open and transparent and avoid any communication which could be interpreted as 'grooming behaviour'.

**5. Physical contact** There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, however, it is crucial that they only do so in ways appropriate to their professional role and in relation to the pupil's individual needs and any agreed care plan. Not all children feel comfortable about certain types of physical contact; this should be recognised and, wherever possible, adults should seek the pupil's permission before initiating contact and be sensitive to any signs that they may be uncomfortable or embarrassed. Staff should acknowledge that some pupils are more comfortable with touch than others and/or may be more comfortable with touch from some adults than others. Staff should listen, 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 pupil. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil, in one set of circumstances, may be inappropriate in another, or with a different child. Any physical contact should be in response to the child's needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Adults should therefore, use their professional judgement at all times. Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action by them or a colleague could be misinterpreted, or if an action is observed which is possibly abusive the incident and circumstances should be immediately reported to the manager and recorded. Where appropriate, the manager (DSL) should consult with the Local Authority Designated Officer (the DO). Extra caution may be required

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where it is known that a child has suffered previous abuse or neglect. Staff need to be aware that the child may associate physical contact with such experiences. They also should recognise that these pupils may seek out inappropriate physical contact. In such circumstances staff should deter the child sensitively and help them to understand the importance of personal boundaries. A general culture of 'safe touch' should be adopted, where appropriate, to the individual requirements of each child. Pupils with disabilities may require more physical contact to assist their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the pupil's needs, consistently applied and open to scrutiny.

**6. Intimate / personal care** Intimate / personal care policies ensure that the health, safety, independence and welfare of children is promoted and their dignity and privacy are respected. Arrangements for intimate and personal care should be open and transparent and accompanied by recording systems. Pupils should be encouraged to act as independently as possible and to undertake as much of their own personal care as is possible and practicable. When assistance is required, this should normally be undertaken by one member of staff, however, they should try to ensure that another appropriate adult is in the vicinity who is aware of the task to be undertaken and that, wherever possible, they are visible and/or audible. Intimate or personal care procedures should not involve more than one member of staff unless the pupil's care plan specifies the reason for this. A signed record should be kept of all intimate and personal care tasks undertaken and, where these have been carried out in another room, should include times left and returned. Any vulnerability, including those that may arise from a physical or learning difficulty should be considered when formulating the individual pupil's care plan. The views of parents, carers and the pupil, regardless of their age and understanding, should be actively sought in formulating the plan and in the necessary regular reviews of these arrangements. Pupils are entitled to respect and privacy at all times and especially when in a state of undress, including, for example, when changing, toileting and showering. However, there needs to be an appropriate level of supervision in order to safeguard pupils, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment.

**7. Behaviour management** Corporal punishment and smacking is unlawful. Staff or host families should not use any form of degrading or humiliating treatment to punish a child. The use of sarcasm, demeaning or insensitive comments towards children is completely unacceptable. Where pupils display difficult or challenging behaviour, adults should follow the behaviour and discipline policy using strategies appropriate to the circumstance and situation. Where a pupil has specific needs in respect of particularly challenging behaviour, a positive handling plan, including assessment of risk, should be drawn up and agreed by all parties, including, for example, a medical officer where appropriate. The legislation on these strategies is complex and staff

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should take extreme care to avoid any practice that could be viewed as unlawful, a breach of the pupil's human rights and/or false imprisonment. This means that staff should:

- not use force as a form of punishment
- try to defuse situations before they escalate e.g. by distraction
- keep parents informed of any sanctions or behaviour management techniques used
- be mindful of and sensitive to factors both inside and outside of the school or setting which may impact on a pupil's behaviour
- follow the establishment's behaviour management policy
- behave as a role model
- avoid shouting at children other than as a warning in an emergency/safety situation
- be aware of the legislation and potential risks associated with the use of isolation and seclusion
- comply with legislation and guidance in relation to human rights and restriction of liberty

**8. Sexual conduct** Any sexual behaviour by a member of staff with or towards a pupil is unacceptable. It is an offence for a member of staff in a position of trust to engage in sexual activity with a pupil under 18 years of age and sexual activity with a child could be a matter for criminal and/or disciplinary procedures. Pupils are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions depending on their age and understanding. This includes the prohibition of sexual activity with children by adults in a position of trust. Sexual activity involves physical contact including penetrative and non-penetrative acts, however it also includes non-contact activities, such as causing pupils to engage in or watch sexual activity or the production of pornographic material. There are occasions when adults embark on a course of behaviour known as 'grooming' where the purpose is to gain the trust of a child and manipulate the relationship so sexual abuse can take place. All staff should undertake appropriate training so they are fully aware of those behaviours that may constitute 'grooming' and of their responsibility to always report to a senior manager any concerns about the behaviour of a colleague which could indicate that a pupil is being groomed. This means that staff should:

- not have any form of sexual contact with a pupil from the school or setting
- avoid any form of touch or comment which is, or may be considered to be, indecent

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- avoid any form of communication with a pupil which could be interpreted as sexually suggestive, provocative or give rise to speculation e.g. verbal comments, letters, notes, by email or on social media, phone calls, texts, physical contact
- not make sexual remarks to or about a pupil
- not discuss sexual matters with or in the presence of pupils other than within agreed curriculum content or as part of their recognised job role

**9. Photography, videos and other images** Under no circumstances should staff be expected or allowed to use their personal equipment to take images of pupils at or on behalf of the school or setting. Whilst images are regularly used for very positive purposes adults need to be aware of the potential for these to be taken and/or misused or manipulated for pornographic or 'grooming' purposes. Particular regard needs to be given when images are taken of young or vulnerable children who may be unable to question why or how the activities are taking place. Pupils who have been previously abused in a manner that involved images may feel particularly threatened by the use of photography, filming etc. Staff should remain sensitive to any pupil who appears uncomfortable.

**10.** The photographs of the child can be made only with the child's and their parents permission.

### **11. Who can use Reasonable Force?**

All members of school staff are legally allowed to use reasonable force. Of course, staff may never act in a way that could cause injury.

**When can Reasonable Force be used?** Reasonable force can be used to prevent and to protect.

Prevention can mean:

- stopping a pupil from damaging property
- not allowing a pupil to leave a classroom if leaving will mean they are unsafe or cause issues for other pupils
- intervening before a situation escalates

Protection can mean:

- ensuring that a pupil's behaviour does not cause them harm
- ensuring that no others are harmed by a pupil's behaviour

Method of restraint – the method of restraint must use the minimum force for the minimum time and is subject to further restrictions.

Acceptable types of physical intervention include: leading a pupil by the arm; blocking a pupil's path; holding; leading a pupil using a hand in the small of the back. In extreme situations where restraint is used, it must be as unrestrictive as possible.

**Unacceptable uses of force include:** holding a pupil by the collar; hitting a pupil in any way; holding a pupil face down on the ground; holding a pupil in a way that could be considered indecent. It is unlawful to use force as a punishment.

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Power to search without consent In addition to the usual power to use reasonable force, the staff can use such force to conduct a search without consent if they have reason to suspect the pupil is in possession of any of the following prohibited items: Weapons, alcohol, illegal drugs, tobacco and cigarette papers, stolen items, pornographic images, fireworks, or any other item that is likely to be used to cause personal injury or property damage.

**Record Keeping** Any member of staff who uses force in an interaction with a pupil should inform to Director, Vitalija Abare, mob.07557532717, email [info@eraeducation.co.uk](mailto:info@eraeducation.co.uk) . A written report must then be made and should include the name(s) of the pupil(s), the time and location of the incident, the reason for the force being necessary, the names of witnesses, and the outcome. Details of the pupil's response and any injuries should be recorded. This report must then be passed to the Director.

**Informing Parents** While it is not a requirement that parents be informed of instances in which reasonable force is used, we believe it to be good practice to communicate with them about any serious incidents that involve the use of physical contact. Parents may also request to see the report of the incident.

**Complaints** If a student complains that force has been used on them, certain factors will be taken into account.

**Investigation:** All complaints will be thoroughly, speedily and transparently investigated. The above-mentioned reporting process is such so that records of all incidents are stored and accessible.

**Evidence:** Should a complaint be made, the onus is on the complainant to prove that their allegations are true, not on the person about whom the complaint is made.