

CODE OF CONDUCT: PROMOTING SAFE PRACTICE

Updated August 2022

Procedures for promoting safe practice in this section are indivisible from and expected to operate in conjunction with other GDST and school policies including:

- Equal Opportunities (Education) Policy
- KCSIE September 2022
- Safeguarding Policy 2022 and Procedures
- Behaviour and Conduct Policy, and Staff Guidance document
- Mental Health Positive Policy
- Anti-Bullying Policy
- Policies relating to Physical Intervention
- ICT Acceptable Use Agreement
- Other codes of conduct related to on the GDST Hub
- Online Safety Policy

These procedures incorporate guidance produced by the DCSF in the document 'Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings' 2009. Schools are recommended to refer to this 2009 guidance for more detailed advice on a range of issues including:

- Infatuations
- One to One Situations
- Transporting Pupils
- Educational Visits and After School Activities

Basic Principles

The GDST expects all staff and volunteers to:

- Treat pupils with respect, dignity, sensitivity and fairness
- Value and respect all pupils as individuals
- Demonstrate that they are willing to listen to pupils' views and opinions
- Provide suitable opportunities for pupils to be involved in decision making processes
- Provide positive encouragement and praise to all pupils
- Provide an example of good conduct for pupils
- Ensure that relationships with pupils remain on a professional footing
- Avoid behaviour that could lead a reasonable observer to question their conduct, intentions or suitability to care for children.

Abuse of Trust

Under the Sexual Offences Act 2003, it is a criminal offence for any person under 18 in a position of trust to engage in a sexual relationship with a pupil under 18; this constitutes 'Abuse of Trust'. This is to prevent adults abusing their position of trust, for example by persuading, encouraging or intimidating pupils into certain behaviours or activities.

The law applies to anyone working in schools in a paid or voluntary capacity, including sixth formers and gap-year students, even if they do not teach the child and even if *pupils are of an age to consent to sexual activity* and applies even if *both parties consent* to the sexual relationship.



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A sexual or intimate relationship between a member of staff or volunteer and a sixth former over the age of 18 is also unacceptable, even though not a criminal offence, and will be dealt with under the provisions of the GDST disciplinary procedure and is likely to be considered as gross misconduct.

Schools must ensure that all staff, volunteers and gap-year students are informed about the requirements and implications of “Abuse of Trust.” and that the GDST extends the requirements of staff behaviour and the consequences of non-compliance with these procedures to include inappropriate relationships with sixth formers who are 18 years old or over.

Guidelines on Acceptable Behaviour of Staff and Volunteers

- Do not address a pupil by any name other than his/her first or preferred name
- If you need to talk to a pupil privately, make sure that this does not put you at risk i.e. the room should afford privacy but still be in the view of others. If any physical contact occurs in a one-to-one situation, a prompt report should be made to the Designated Safeguarding Lead
- Be mindful of how you touch pupils – your actions could be misconstrued. Do not carry a child unless absolutely necessary.
- Be cautious when comforting a distressed pupil with physical contact – which should never be in private. Whenever a teacher touches a child she/he should be aware that the action may be misconstrued or cause offence.
 - Bear in mind the pupil’s age and ethnicity, the nature of the distress and their needs and the physical environment.
 - Common sense dictates, however, there are some situations where appropriate physical contact is either necessary or reasonable action to take (see below).
 - If a student’s reaction shows that she is uncomfortable with being touched, the teacher should adjust his/her behaviour accordingly
- **Do not give pupils personal contact details** (e.g. e-mail, telephone numbers or address), take personal contact details from pupils except in an emergency, (in which case a member of SLT must always be informed)
- It should not be necessary for staff to have pupils’ personal contact details on a routine basis.
 - Where staff might require such details e.g. for the organisation of school activities such as school trips, it is essential that the school provides a contact number for the pupils
 - It is made clear that whenever personal contact numbers are taken for pupils, the lists are destroyed after the trip and are never stored in any device belonging to a member of staff.
 - All trips must follow the GDPR guidance in school and GDPR policy.
- Exercise caution in use of social media, and ensure you are working within the confines of the GDST ICT Acceptable Use Agreement
- Do not make visits to pupils in their homes or receive pupils at your home
- Do not offer car journeys to pupils unless in an *emergency* and ideally with parental permission.
 - Always inform your line manager and log details and reason for the journey ASAP.
 - Staff must ensure they have appropriate insurance in accordance with the information on school trips via the GDST Hub
- Do not single out individual pupils for special gifts or favours or unnecessary individual attention



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- Do not arrange to socialise with pupils at events other than those relating to school events (e.g. end of term celebrations, at weekends or evenings)
- Do not encourage or engage in inappropriate humour or chat or gestures (e.g. swearing, sexual connotation or innuendo)
- **Do not allow pupils to use inappropriate language unchallenged.** Positively challenge inappropriate chat e.g. racist/ sexist comments, swearing or sexual jokes
- Male staff and volunteers should avoid entering girls' toilets, changing rooms or showers except in an absolute emergency and ideally accompanied by a female member of staff/volunteer. Situations where male staff have had to enter these particular areas should be openly discussed with the staff member's line manager as soon as practical and if necessary recorded
- Avoid excessive personal compliments about a pupil's appearance
- Do not dictate orders by shouting but request or provide direction to staff or pupils
- Do not enter into arguments or heated debates in front of pupils or parents
- Do not allow any allegations made by a pupil or third party to go unchallenged, unrecorded or not acted upon.

Misuse of Alcohol and Drugs

All GDST staff and volunteers are not permitted to misuse, or be under the influence of, alcohol or illegal drugs, on GDST premises or whilst in charge of pupils at any other venue in the UK or abroad. *Disciplinary Action may follow if these guidelines are not upheld.*

Physical Contact between Staff and Pupils

Safeguarding pupils requires both pupils and staff to be clear about safe and acceptable physical contact. However it is just as important for all staff and volunteers to feel comfortable in contributing to providing a safe and caring environment for all pupils, especially for very young children. Staff and volunteers need to feel comfortable in responding to pupils' practical and emotional needs.

It is important to avoid making assumptions about whether or not a pupil wants physical contact, even with very young children, or to assume that one response fits all circumstances. Members of staff should use their professional judgement in specific situations, taking into account the pupil's needs at the time, their age, stage of development, gender, ethnicity and background.

If a member of staff believes that an incident could be misinterpreted, they should inform the Designated Safeguarding Lead immediately.

When is Physical Contact with Pupils Acceptable?

The paramount consideration is the need of the child. Staff should use their professional judgement to comfort or reassure children while maintaining appropriate distance. Never do anything of a personal nature for children that they can do for themselves (e.g. help with toileting, putting on sun cream, drying after swimming or getting dressed).

There are times when it is appropriate for a member of staff/ volunteer to touch a pupil, for example:

- Young children in particular quite often need immediate physical comfort after a fall/ injury
- Helping very young children with personal care tasks (dressing/ drying after swimming) *see *also acceptable behaviour above*
- Strapping seat belts for young children



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- Some pupils with particular disabilities
 - Providing first aid treatment
 - Pupil recovering from an accident (e.g. pupils using crutches or be in plaster)
 - Pupils who are extremely emotionally upset
 - To avoid accident or injury in an emergency
 - Some contact sports see further Appendix 6
 - Some arts activities see further Appendix 7
 - Holding the hand of a child at the front/back of the line when going to assembly or when walking together around the school

If a younger child needs to sit on your lap, sit the child on your lap in a quiet area, in view of other staff or pupils and ask the child to sit 'side saddle', i.e. with his/her legs together, folded across your lap.

Responding to Pupils Making Physical Contact with You

Should a pupil of any age seek you out for physical contact or seem to want to establish an intimate relationship with you *always* discuss this with your line manager and the Designated Safeguarding Lead.

In all situations where a pupil initiates inappropriate physical contact, it is the responsibility of the adult to distance themselves and help the pupil understand the importance of personal boundaries. It is important that the incident and the circumstances should be reported to the Designated Safeguarding Lead and recorded as soon as possible, and recorded via CPOMS.

Sexual Behaviour

Children of any age may behave in a sexual way. Pupils may need guidance on:

- Self-Awareness
- Social Skills
- Establishing appropriate peer relationships
- Bullying
- Emotional support
- Information and advice about how their behaviour may be perceived by others and possible consequences of their behaviour

Older students may need guidance regarding sex and relationship counselling. In Trust Schools the school nurse may be able to assist and guidance is given through PSHE and RSE programmes.

Sometimes, inappropriate sexual behaviour may require the pupil to receive advice and guidance from professionals outside of the school. It is also possible that inappropriate sexual behaviour is a sign that the pupil could be at risk of significant harm. These matters need to be considered under the school safeguarding procedures.

Confidentiality

Members of staff have access to confidential, personal information in order to undertake their everyday responsibilities. This information must be handled responsibly and sensitively.

It is important to:

- Avoid sharing information casually in conversation or other than on a need-to-know basis



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- Avoid holding sensitive discussions about pupils in public areas, such as corridors, dining areas or playgrounds
 - Keep notes and records about pupils suitably secure
 - Be careful about the kinds of personal information about pupils which are on view in staff rooms, work areas and offices, especially if these areas are used or visited by parents, visitors or contractors
 - Make sure you are familiar with the Record Keeping section within the Safeguarding Procedures
 - Ensure you are familiar with your responsibilities under the Data Protection Act 1998 and have completed the online GDPR training.

In areas where confidentiality may be an issue, it is important to remember that it is the welfare and safety of the pupil which is the key focus.

Children need to be educated that other members of staff may have to pass information on to others in order to help them and keep them safe. In certain circumstances, it may also be the case that pupils themselves receive a disclosure, and should understand the importance of passing such information on, and who to speak to. It is important to reassure pupils, including very young children, that if their personal information is shared it will only be passed on to those who need to know and will not become common knowledge amongst other staff/pupils. This can be brought to the attention of pupils through:

- PSHE and RSE Education, Period X
- Religion, Philosophy and Ethics curriculum discussions on ethical issues
- Assemblies
- Part of induction arrangements for new pupils
- Displays of material about external organisations which offer help and support
- Leaflets and other material telling pupils and parents about pastoral care arrangements
- Discussions with parents

Where applicable, include a clear and pupil-friendly statement about confidentiality within material produced by the school nurse or welfare counsellor.

It is essential that staff avoid being pressured into promising that they will keep information 'secret' when pupils give them information about changes in their family, their concerns, worries or other possible indications of abuse. The dangers of keeping secrets are that this approach:

- helps perpetuate the cycle of secrecy and concealment which characterises much abusive behaviour
- leads to the child feeling a greater sense of betrayal when material has to be disclosed, again reinforcing a sense that adults cannot be trusted
- will put you into an impossible situation, for example, if the child then discloses evidence of extensive abuse or a situation in which a vulnerable sibling is clearly at risk of significant harm

See Section 6 for further guidance on Confidentiality, Information Sharing and Consent.



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Behaviour Management

Individual schools are expected to develop policies relating to, and communicate clearly to all pupils and parents, their model of positive discipline (including a hierarchy of sanctions) in order to encourage positive behaviour, respect for others and a sense of self-discipline appropriate to the pupils' age and understanding.

The Behaviour Policy or Code **must** include the promotion of good behaviour, self-discipline and respect, and show the place of rewards and sanctions. Regard should be had to the DfE Guidance 'Behaviour and Discipline in Schools', which covers the following key areas:

- Duties under the Equality Act 2010 including issues related to pupils with disabilities and how reasonable adjustments are made for these pupils
- A consistent approach to behaviour management
- Strong school leadership
- Classroom management
- Rewards and sanctions; behaviour strategy and the teaching of good behaviour
- Staff development and support
- Support systems for pupils
- Liaison with parents and other agencies
- Managing pupils' transition
- Organisation and facilities
- Disciplinary action against pupils who are found to have made malicious accusations against staff.

Individual school Behaviour and Sanctions Policies should also reflect the following guidelines:

Sanctions that are permissible

- Removal from the group/class
- Withdrawal from break or lunch time activities
- Withdrawal from any school trip, sporting or arts event which is not essential to the curriculum
- Completion of assigned work
- Carrying out a useful task in school
- Detention (with 24 hours' notice and consideration of safe return home of pupil if outside school hours; it cannot be used informally at the end of the school day)

The requirement to give 24 hours' notice of detention has recently been rescinded. However schools are **strongly advised** to retain previous practice and give 24 hours' notice of a detention and consider the safe return home of the pupil if after school hours.

It would be acceptable for staff or volunteers to help a pupil recognise and understand their behaviour by talking calmly about feelings and the consequences of their behaviour, including helping them to "put themselves in the other person's shoes".

Sanctions which are not permissible

- Physical violence e.g. punching, kicking, pushing, shaking or pulling limbs, hair or clothing
- Persistent or aggressive shouting (other than to ensure safety in an emergency)



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- Throwing missiles e.g. objects, books, pencil cases, chalk, rubbers
 - Humiliation (e.g. wearing distinctive or inappropriate clothes)

No forms of corporal punishment are permissible. Corporal punishment is defined as;

“Any degree of physical contact which is deliberately intended to cause pain, injury or humiliation”

All staff, including volunteers, must be aware that corporal punishment is illegal and must not be used in GDST schools for any reason, whether or not on school premises. Teachers may use physical intervention to avert an immediate danger of personal injury to, or an immediate danger to the property of, a person or child.

Controlling Anger and Responding to Aggression

In the unlikely event of a staff member or volunteer feeling threatened verbally by a pupil, s/he could:

- Point out to the pupil that their language is inappropriate and offensive and tell them to stop
- Direct the pupil to an activity, task or quiet area
- Request the pupil to report to a teacher / the Head / wait in reception area (depending on the pupil's age and understanding) provided that you have considered the safety of the pupil
- Request the pupil to leave the room (depending on the pupil's age and understanding) provided that you have considered the safety of the pupil
- If a pupil removes him/herself from your charge, you should suggest a safe place for him/her to “cool off” and ensure that another staff member or volunteer checks that the pupil is safe
- If the pupil appears to be placing him/herself “at risk” you must contact another member of staff *immediately* to help you respond to the situation.

In the unlikely event of a staff member or volunteer feeling threatened physically by a pupil, you will have to judge whether it is best for you to:

- walk away and get further help, or
- calmly reason with the pupil

If you are so emotionally upset that you leave the pupils in your charge you *must inform* another member of staff *immediately*, to allow for the safe supervision of the pupils.

You should always report the incident to your line manager or supervisor so that you can be supported and the pupil can be sanctioned appropriately and receive guidance on his/her behaviour.

Use of Reasonable Force

Staff or visitors should only use force when:

1. The potential consequences of not intervening are sufficiently serious to justify considering use of force
2. The chances of achieving the desired result by other means were low; and
3. The risks associated with not using force outweighed those of using force

It is imperative that should this situation occur; staff or visitors must only use the minimum force necessary to achieve the desired result.



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All members of staff (and other staff people whom the Head has temporarily put in charge of pupils such as volunteers or parents accompanying students on a school organised visit and volunteers with the Head's permission) are legally entitled to use reasonable force to control or restrain pupils but must not use force as a punishment. This entitlement applies not only whilst on school premises but also whenever the teacher (or other person with the Head's permission) has lawful control or charge of pupils.

When can reasonable force be used?

- Reasonable force can be used to prevent pupils from hurting themselves or others, from damaging property, or from causing disorder.
- In schools, force is used for two main purposes – to control pupils or to restrain them.
- The decision on whether or not to physically intervene is down to the professional judgement of the staff member concerned and should always depend on the individual circumstances.

The following list is not exhaustive but provides some examples of situations where reasonable force can be used:

- To prevent immediate danger/injury to the pupil concerned, any other pupils, staff, or volunteers
- To prevent serious damage to property
- To prevent serious breaches of school discipline
- To prevent a pupil behaving in a way that disrupts a school event or a school trip/visit
- To remove disruptive children from the classroom where they have refused to follow an instruction to do so
- To prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others

Safe methods of reasonable force must be used for the *shortest period* of time necessary and with the *minimum amount of force necessary to achieve the desired result*.

In addition to the general power to use reasonable force, Heads and authorised staff can "use such force as is reasonable in the circumstances for exercising that power" in relation to a search for knives or weapons, alcohol, illegal drugs and stolen items, tobacco and cigarette papers, fireworks and pornographic images. Guidance on the power to search without consent is available from the DfE.

The use of inappropriate or excessive force may result in disciplinary action or criminal charges.

- Inappropriate use of force is using force as a punishment or when the situation could have been resolved without using force or degrading the pupil;
- Excessive force is using too much force and / or using force for too long a period of time.

All incidents involving use of restraint must be reported and recorded in accordance with the school's own internal policies and procedures.

For further information, schools should refer to the DfE guidance on Use of Reasonable Force in Schools 2013.



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Knives or Weapons

The GDST will not tolerate the carrying or use of any weapons. Staff or volunteers who become aware of a knife, weapon or instrument they suspect may be used to cause harm to any person or to self-harm (e.g. blades), must inform their line manager or supervisor immediately.

The line manager/ supervisor must **immediately** assess the situation and consider if there is an immediate risk or danger to any persons in the vicinity. If so contact the police and:

1. consider if the pupil can be approached sensitively and asked to relinquish the weapon/ instrument safely;
2. direct other pupils to a place of safety if necessary, before approaching the pupil concerned.

If the weapon/ instrument is relinquished without further incident, the school pastoral support team will need to consider:

- The pupil's understanding of the situation and intent
- Communication with parents/ guardians
- Disciplinary action or a Pastoral Plan, including additional professional help depending on the context of the individual case
- Appropriate disposal of any weapon (possibly contact with the police)
- Developing a risk management strategy for the individual pupil concerned, in order to ensure the future safety and well-being of pupils, staff & volunteers at the school.

For further information on search procedures see the Exclusions Policy.



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