

PORT·REGIS

POLICY NAME	Staff Code of Conduct	POLICY OWNER	Geraldine White HR Iain Hepburn (Pastoral)
APPROVED BY	Wellbeing Committee/CoM	DATE APPROVED	November 2021
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STAFF CODE OF CONDUCT

Whole school policy including EYFS.

Introduction

All adults who come into contact with children and young people in their work have a duty of care to safeguard and promote their welfare, both on and off-site. This applies to all those who work with pupils in an educational establishment, in either a paid or unpaid volunteering capacity.

The Children Act 2004 and Section 157 of the Education Act 2002 place a duty on organisations to safeguard and promote the wellbeing of children and young people. This includes the need to ensure that all adults who work with or on behalf of children and young people in these organisations are competent, confident and safe to do so. Moreover, it includes the provision of appropriate guidance to all staff, volunteers and governors, on the conduct required to ensure children are safe.

There are some specific issues and responsibilities which flow from this general legal framework. These relate not only to child protection and the promotion of child welfare, but also to the need for staff to protect themselves as professional people. It is appropriate to publish this guidance in the belief that it will assist colleagues to work safely and professionally, so as not to place pupils or staff at risk of harm or of allegations of harm to a pupil. Colleagues should be aware that their behaviour within their personal lives and towards other colleagues may bring into question their professionalism and/or their suitability to work with children.

Whilst all colleagues are expected to adhere to this guidance, it is recognised that not all of the guidance is equally relevant to all roles. Any colleague who has concerns or queries in this respect should raise them at the earliest opportunity with their line manager, or appropriate senior colleagues.

Whilst every attempt has been made to cover a wide range of situations in this guidance, it is recognised that it cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this document, or which directly contravene the guidance given. In these circumstances staff should always advise their senior colleagues of the justification of any such action already undertaken or proposed.

It is recognised that the vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment which secures the well-being of, and the very best outcomes for, the

pupils in their care. Achieving these aims relies on positive pupil and staff interactions. Unfortunately, tensions and misunderstandings can occur in such interactions. This guidance aims to reduce the risk of such situations. Unfortunately, members of staff always need to remember that a minority of adults in the children's workforce do harm children by their words and actions, and some who may appear to be very caring and good with children groom and sexually abuse children. The guidance provided in Part One of 'Keeping Children Safe in Education, 2021' advises staff to be aware that **'it could happen here'**.

This document is rooted in the **Guidance for safer working practice for those working with children and young people in education settings (Safer Recruitment Consortium – October 2015)**. Staff should also have regard to the following documentation:

- **Guidance for safer working practice for those working with children and young people in education settings: Addendum April 2020.**
- **Keeping Children Safe in Education, September 2023.**
- **Working Together to Safeguard Children 2018.**

It should be noted that unacceptable behaviour by staff will not be tolerated and, where appropriate, legal, or disciplinary action will follow.

This document intends to encourage an atmosphere of trust in which all those who work with pupils can conduct their professional lives with confidence. It complements other Port Regis policies and guidance that relate to pupil-staff interactions, including yet not limited to the following:

- Child Protection Policy;
- Mobile Phone and Social Media Policy;
- Safer Recruitment and Interview Policy;
- Policy for Dealing with Allegations of Abuse Against Teachers and Other Staff;
- Whistleblowing Policy;
- Anti-bullying Policy, including Cyber-bullying Policy;
- Policy on Physical Restraint of Pupils;
- Staff Computer, Phone, Email and Internet Agreement.

This guidance will be reviewed annually by the DSL and Deputy Head (Pastoral).

Underpinning principles

The welfare of the child is paramount. All staff should:

- Understand their responsibilities to safeguard and promote the welfare of pupils.
- Understand the Port Regis Child Protection Policy and the associated Pan-Dorset Safeguarding Children Partnership procedures; the arrangements for managing allegations against staff; the Staff Code of Conduct; and the Whistleblowing Policy.

- Accept that they are responsible for their own actions and avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Work, and be seen to work, in an open and transparent way.
- Acknowledge that deliberately invented or malicious allegations are extremely rare and ensure that all concerns are reported and recorded.
- Discuss promptly with their line manager if they have acted in such a way that may give rise to concern.
- Apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief and sexual orientation.
- Not consume or be under the influence of alcohol or any substance, including prescribed medication, which may affect the ability to care for children.
- Be aware that breaches of the law and other professional guidelines could result in criminal and/or disciplinary action being taken. Other action that could be taken includes barring by the Disclosure & Barring Service (DBS) and prohibition from teaching by the National College of Teaching & Leadership (NCTL).
- Review and monitor practice to ensure that this guidance is followed.

Duty of care

All colleagues have a legal 'duty of care' towards children under their protection. This involves a duty to keep young people safe, to treat them with respect and dignity, and to protect them from abuse (sexual, physical, emotional or neglect) and safeguarding concerns. This means that they must always act and be seen to act in children's best interest, avoiding any conduct which would lead any reasonable person to question their actions. In relation to the handling of risks, the law requires that prudent and reasonable precautions be taken in relation to foreseeable harm. Risk assessments might be required of us in order to fulfil that obligation. The concept of what it is 'reasonable' to expect is important in any legal consideration of a duty of care. Failure to take reasonable steps to ensure the safety and well-being of children may be regarded as professional misconduct.

This means that colleagues should:

- Always act, and be seen to act, in the children's best interests.
- Understand the responsibilities which are part of their role and be aware that sanctions will be applied if these provisions are breached.
- Exercise respectful, caring, and professional relationships that demonstrate integrity, maturity and good judgment.
- Understand the responsibilities which are part of their employment or role.
- Avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Take responsibility for their own actions and behaviour.

Professional judgements

This guidance does not provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight, though, behaviour which is illegal, inappropriate or inadvisable. There may be rare occasions in which colleagues have to make decisions or take action in the best interests of a pupil which could contravene this guidance or, indeed, where no guidance exists. Colleagues are expected to make judgements about their behaviour in order to secure the best interest and welfare of pupils in their care and, in so doing, will be seen to be acting reasonably. These judgements must always be recorded and shared with a manager. Colleagues should always consider whether their actions are warranted, proportionate, safe, and applied equitably. This means that where no specific guidance exists colleagues should:

- Discuss the circumstances that informed their action, or proposed action, with their line manager or, where appropriate, the School's Designated Safeguarding Lead (DSL). This will help to ensure that the safest practices are employed and to reduce the risk of actions being misinterpreted.
- Always discuss any misunderstanding, accidents or threats with the Headmaster or the DSL.
- Always record discussions and actions taken with their justifications.
- Record any areas of disagreement and, if necessary, refer to another agency such as Dorset Children's Social Care.

Position of trust

All adults working with children and young people in a school are in positions of trust in relation to all pupils and must maintain appropriate professional boundaries. This is not a relationship of equals, and adults clearly cannot use their position of authority either for their own personal advantage or gratification, or to intimidate, coerce or undermine children. For instance, under the Sexual Offences Act 2003, where a person aged 18 or over is in a position of trust with a child under 18, it is a criminal offence not only for that person to engage in sexual activity with or in the presence of that child, but also to cause or incite that child to engage in or watch sexual activity. This applies, even if, in the case of those over 16, the relationship is consensual. This means that colleagues should not:

- Use their position to gain access to information for their own advantage and/or a pupil's or family's detriment.
- Use their power to intimidate, threaten, coerce or undermine pupils.
- Use their status and standing to form or promote relationships with pupils which are of a sexual nature, or which may become so.

Confidentiality

Colleagues may have access to confidential information about the School, its pupils and their families which must be kept confidential at all times and only shared when legally permissible to do so and in the interest of the child. This might include personal details of parents, pupils, and staff or financial information and marketing plans. Records should only be shared with those who have a legitimate professional need to see them. Such confidential or personal information about a pupil or their family should not be used for personal advantage or the advantage of partners, friends, relatives or other organisations. Information must

never be used to intimidate, humiliate, or embarrass the pupil. Confidential information should never be used casually in conversation or shared with any person other than on a need-to-know basis. In circumstances where the pupil's identity does not need to be disclosed the information should be used anonymously.

Any electronically stored confidential information which is taken off the School premises must be kept safe and secure at all times. Colleagues should seek advice from a senior member of staff if they are in any doubt about sharing information they hold, or which has been requested of them.

There are some circumstances in which a colleague may be expected to share information about a pupil - for example when abuse is alleged or suspected. In such cases, colleagues should not promise confidentiality but should give reassurance that the information will be treated sensitively before passing the information on without delay to the DSL.

Press or other media inquiries concerning School business or information should be passed on to the Headmaster or the Director of Communications and Development. This means that colleagues should:

- Treat information they receive about pupils and families in a discreet and confidential manner.
- Seek advice from a senior member of staff if they are in any doubt about sharing information.
- Be clear about when information can and must be shared.
- Know the procedures for responding to allegations against staff.
- Ensure that personal information (electronically stored or not) is kept secure.

Propriety and behaviour

Colleagues should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, pupils and parents. An individual's behaviour, either in or out of School, should not compromise his or her position within the School in relation to the protection of children, loss of trust and confidence, or bringing Port Regis into disrepute. This means that colleagues should not behave in a manner which would lead any reasonable person to question their suitability to work with children.

It is the responsibility of colleagues to update the School if they have received any driving endorsements, convictions, cautions, reprimands, or warnings regardless of the nature of the offence.

In addition, colleagues must be even-handed, consistent and unambiguous in the way they treat pupils, avoiding any actions that would be considered 'unprofessional'. For instance, the verbal slighting in public of a pupil (or another member of staff), whether intended or unintended, would be regarded as unprofessional. Colleagues should report to the Deputy Head (Pastoral) and record any incident where their behaviour has been such that it might be misinterpreted by others. This means that colleagues should not:

- Make or encourage others to make sexual remarks to, or about, a pupil.
- Use inappropriate language to or in the presence of pupils.
- Discuss their personal or sexual relationships with or in the presence of pupils.
- Make, or encourage others to make, unprofessional personal comments which scapegoat, demean or humiliate or might be interpreted as such.

Conversely, colleagues should:

- Be aware that their own behaviour, the behaviour of those with whom they share a household, or others in their personal lives, may impact on their work with children.
- Ensure that Human Resources (HR) are updated when their medical or personal details change.
- Make HR aware of any convictions, cautions, reprimands, or warnings.

Dress and appearance

Colleagues should ensure that their appearance promotes a positive and professional image, and is appropriate to their role. Adults who work with pupils should ensure they are dressed appropriately for the tasks and the work they undertake. This also applies to online or remote teaching. Attire must promote a positive professional image.

Rewards, gifts and favouritism and business transactions

Care should be taken to ensure that staff do not accept any gift that might be construed by others as an inducement, or lead the giver to expect entitlement to preferential treatment.

Rewards should be given in line with accepted practice and anything that might be considered to fall outside the norm should be discussed in advance with a Deputy Head. Colleagues should ensure that gifts received or given in situations which may be misconstrued are declared and, generally, only give gifts to an individual young person as part of an agreed reward system. Colleagues should exercise care when selecting pupils for specific activities or privileges, in order to avoid perceptions of favouritism or unfairness. Similar care should be exercised when pupils are excluded from an activity. Methods of selection and exclusion should always be subject to clear, fair and agreed criteria.

Colleagues are able to receive tokens of appreciation from pupils or parents, for example at Christmas or the end of an academic year, but they should not accept any gift that might be construed as a bribe or lead to an expectation of preferential treatment.

There are of course occasions when it is acceptable for staff to receive small gifts from pupils and/or their parents wishing to pass on tokens of appreciation. However, staff who are offered gifts on a regular basis or that are of significant value are advised to inform the Headmaster. For further details see the School's "Anti-Corruption and Bribery Policy".

Colleagues must not engage in personal business transactions with pupils relating to the purchase or sale of goods. Uncertainty over the appropriateness of such interaction with a pupil must be discussed with the Deputy Head (Pastoral). This means that colleagues should:

- Ensure that gifts received are recorded in line with School policy.
- Only give gifts to a pupil as part of the agreed reward system.
- Ensure that all selection processes of pupils are fair.

Infatuations

Occasionally, a pupil can develop an infatuation with a member of staff. Colleagues should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. They should remain aware, though, that such infatuations carry a high risk of words or actions being misinterpreted and should therefore make every effort to ensure that their own behaviour is above reproach.

Any colleague, who becomes aware of any such development, should discuss the matter with the Deputy Head (Pastoral) so that the most appropriate course of action can be taken to prevent escalation, hurt, embarrassment or distress for those concerned. An appropriate plan to manage the situation will be put into place and will be regularly monitored and reviewed. This means that colleagues should:

- Report any indications that a pupil may be infatuated with a member of staff.
- Always maintain professional boundaries.
- Expect an appropriate plan to be put into place where necessary.

Social contact outside of Port Regis

It is acknowledged that staff may have genuine friendships and social contact with the parents of pupils. Colleagues should maintain appropriate personal and professional boundaries in any social contact with pupils or their families. Any concerns should be discussed with the Deputy Head Pastoral.

Colleagues should have no secret social contact with pupils or their parents and should always approve any planned social contact with children with the Deputy Head (Pastoral).

Colleagues should report and record any situation, which may place a child at risk, or which may compromise the School or their own professional standing.

Colleagues are not encouraged to entertain pupils in their own homes. Any exception to this should be discussed with and approved by the Deputy Head (Pastoral) prior to the event. However, under certain circumstances and following formal request through the normal procedures for planning and approval of a school trip/event, it may be approved if deemed appropriate and the associated risk and safeguarding concerns are addressed.

Communication with pupils

Colleagues should be circumspect in their use of technology when communicating with pupils, so that there is no room for misinterpretation. Any communications should be transparent, open to scrutiny and be for professional purposes only. Emails should only be from or to a school email address.

Colleagues should ensure that personal social networking sites are set with maximum privacy settings and pupils are never listed as approved contacts. They should never inappropriately use or access social networking sites of pupils. They should not give their personal contact details to pupils, including their private mobile telephone number or email address, and details of any blogs or personal websites. Except in an emergency, they should only use equipment (for example, mobile phones) provided by the School to communicate with children. Colleagues must not use their personal mobile, internet or web-based communication channels to send personal messages to current pupils and should **be circumspect** about doing so with past pupils below the age of 18.

If pupils locate your personal contact details by other means and attempt to contact or correspond with you this must be reported to the Deputy Head (Pastoral). Do not respond to the pupil. This means that colleagues should:

- Not make contact or respond to contact with pupils outside of the purposes of their work.
- Not engage in inappropriate electronic communication with a pupil.
- Not give out their personal details.
- Follow the School's e-safety policies.
- Ensure that their use of technology does not bring the School into disrepute.

Physical contact

There are occasions when it is entirely appropriate for colleagues to have physical contact with pupils, but it is crucial that it should be appropriate to their professional role. It is not possible to be specific about all situations, since it varies according to the particular set of circumstances, but a general culture of 'limited touch' should be adopted. Colleagues should be aware that even well-intentioned physical contact may be misconstrued - for example, because of differing cultural or religious views about touching. Children should never be touched in a way that could be viewed as indecent. Colleagues should not indulge in horseplay or 'play fights' with children, and all physical contact will be open to scrutiny. Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority.

In certain curriculum areas, such as sport, drama, music, performing arts and outdoor activities, physical contact with pupils may be necessary to adjust posture or to support a pupil so they can perform an activity safely or prevent injury. Physical contact should take place only when absolutely necessary in relation to a particular activity. Such contact should be carried out in accordance with existing codes of conduct (such as those provided by national sporting bodies), regulations and best practice. Physical contact should take place in a safe and open environment (i.e. one that is easily observed by others) and last for the minimum time necessary. The extent of the contact should be made clear and undertaken with the permission of the pupil. Colleagues must remain sensitive to any discomfort expressed verbally or non-verbally by the pupil. It is vitally important that colleagues report to the Deputy Head (Pastoral) and record any incident that has the potential to be misconstrued.

The School's policy on the physical restraint of pupils is published as a separate document: **Physical Restraint of Pupils Policy**. Colleagues may reasonably intervene to prevent a child from committing a criminal offence, injuring themselves or others, causing damage to property or engaging in behaviour prejudicial to good order. However, great care must be exercised in order that colleagues do not physically intervene in a manner that could be considered unlawful. It would always be preferable to call a member of the SLT to deal with any such incidents. If physical intervention is necessary, it is critical that colleagues report to the Deputy Head (Pastoral) and record any incident of physical intervention as soon as possible after the incident.

Under no circumstances should physical force be used as a form of punishment. The use of unwarranted or disproportionate physical force is likely to constitute a criminal offence. This means that colleagues should:

- Treat pupils with dignity and respect and avoid contact with intimate parts of the body.
- Always be prepared to explain actions and accept that all physical contact be open to scrutiny.

- Consider alternatives to physical contact.
- Always allow pupils, where able, to undertake self-care tasks independently.
- Ensure that comfort offered to a distressed pupil is age appropriate and inform an appropriate senior colleague.
- Report and record situations that may give rise to concern.
- Be aware of cultural or religious views about touching and be sensitive to issues of gender.

Privacy

All pupils have a right to personal privacy. Always knock before entering a pupil's room / dormitory, announce your presence before going into any area where pupils might be changing, allow pupils to make private phone calls and do not read any personal correspondence. Avoid going into areas where pupils are changing, toileting or showering except to the extent that is appropriate in carrying out a duty, which might include such an action in order to safeguard pupils. Colleagues should announce their intention of entering and only remain in the room when essential.

Behaviour management

Praise and encouragement should be used to reward good behaviour and achievement. Poor behaviour needs to be treated appropriately and according to the published guidelines of the *Behaviour: Rewards and Sanctions Policy*. The use of sarcasm, demeaning or insensitive comments, racist, sexist or homophobic remarks is unacceptable in any situation.

Under no circumstances should corporal punishment be used as it is illegal. Furthermore, the use of unwarranted or disproportionate physical force is likely to constitute a criminal offence.

The promotion of good behaviour and discouragement of bad behaviour are the general responsibility of all members of staff.

Colleagues must use physical intervention only in accordance with the guidance published separately in the 'Physical Restraint of Pupils Policy'.

Sexual conduct

Sexual activity between a colleague and a pupil is unacceptable and will always be subject to disciplinary and / or criminal action. Sexual activity includes non-penetrative acts, grooming, causing pupils to engage in or watch sexual activity, or the production of pornographic material. Sexually suggestive behaviour around pupils, or any discussion of sexual activity in the presence of pupils, is not permitted. Colleagues should be mindful of how their actions might be interpreted or misinterpreted at all times.

One-to-one situations

Colleagues working in one-to-one situations with pupils are potentially more vulnerable to allegations. Such one-to-one situations may arise for a variety of reasons, including academic support, scheduled lessons such as music lessons, and tutoring. It therefore makes sense to plan and conduct such meetings to ensure that the security of both pupils and colleagues is met. These should take place in a room with visual access or an open door. Should any pupil become distressed or angry in any such meeting, this should be reported to the Deputy Head (Pastoral).

Exceptionally, a meeting of a particularly sensitive or confidential nature, or one expected to take some time, may have to be arranged in a more private School room; however, the pupil's tutor should always be informed in advance of such a meeting, which if at all possible should be held at a time when another adult can be close by in an adjoining room.

Home visits

Though all work with pupils (and parents) is normally undertaken on Port Regis premises, there are circumstances under which it might be thought necessary and appropriate for a member of staff to visit a pupil at home. Pre-arranged meetings between staff and pupils away from the Port Regis premises should never take place without the knowledge of the pupil's parent(s) and the Head. Seeking the parent(s)' agreement alone is not sufficient.

Where a programme of work is to be undertaken in a pupil's home, an appropriate working space should be provided and a plan that includes objectives and timings of sessions should be agreed with the pupil and parent(s). There should also be an agreement that a parent or other suitable adult will remain in the home throughout each session.

Transporting pupils

Wherever possible and practicable, vehicles other than private ones should be used to transport pupils to and from games fixtures and other activities. However, there will be occasions when staff may agree to use their own cars to transport pupils, in which case the driver must:

- inform a senior member of staff beforehand;
- comply with Port Regis' risk assessment in relation to these journeys;
- ensure that the pupil(s) sit in the rear of the vehicle;
- not be distracted while the vehicle is in motion for any reason other than an emergency;
- protect the safety and welfare of the pupil(s) at all times during the journey.

Situations do arise when the decision to transport a pupil in a privately owned vehicle has to be taken quickly and without consultation — in cases of emergency, for example, and where not to give a lift would place a pupil at risk. Such circumstances must always be recorded and reported to the Bursary without delay.

In all such situations, it is the driver's responsibility to ensure that the vehicle used is roadworthy and appropriately insured, that the maximum capacity is not exceeded, and that all passengers wear seat belts.

It is inappropriate for staff to offer lifts to pupils outside their normal working duties, unless any arrangement has been agreed beforehand with parents and the Headmaster.

Educational visits and other off-site activities

Although guidance offered in this document relates primarily to regular everyday Port Regis activities that take place within school, most of it applies equally to official Port Regis activities that take place further afield. Staff should take particular care when supervising pupils on visits and tours, where the setting would normally be less formal than in School. Staff are still in a position of trust and need to ensure that their conduct remains within clearly defined professional boundaries. Standard procedures for planning and managing off-site visits, including undertaking risk assessments and obtaining parental consent, are specified in Port Regis' School Journeys and Expeditions Policy.

First aid and administration of medication

Port Regis's policy document Health and First Aid, which covers the means by which pupils with medical needs can be supported at the School, sets out medical protocols including the management of pupils' medicines. It recognises that most pupils will at some time have short-term medical needs, that a few will have long-standing medical needs that may require medicines indefinitely to keep them well, and that some require medicines in particular circumstances, such as those with severe allergies and those who suffer from asthma. The School regards pupils' taking responsibility for managing their own medicines as good practice. Parents who do not wish their child to manage their own medicine may stipulate that their child's medicine is kept and administered by school staff, but there is no legal obligation that requires houseparents, tutors and others regarded as medically unqualified to do so.

Port Regis has in place adequate procedures for dealing with medical emergencies, including sports injuries. In addition, it is extremely well provided for in terms of staff who maintain first-aid qualifications. All staff should acknowledge the limitations of their role in applying basic care and hygiene tasks for minor abrasions, and be able to recognise situations where an injury requires more experienced intervention. When administering First Aid, staff should always explain their intended actions to the young person, and wherever possible ensure that another member of staff, if not actually present, is at least aware of the action being taken.

Storage of private staff medicines

Staff are of course entitled to bring medicines to school as necessary for use during the day. However, individuals are responsible for the safe storage of these medicines so that they are not accessible to children. Medicines should be locked away, and the key kept safe. For example, it is acceptable to keep medicines in a locked office, or in a locked draw within an office that is not locked.

Personal Care

All pupils are entitled to respect and privacy at all times and especially when in a state of undress while changing, bathing, showering or undertaking any form of personal care. When supervision is needed in order

to safeguard pupils and/or satisfy health and safety considerations it should be appropriate to the needs and age of the pupils concerned and sensitive to the potential for embarrassment.

Staff need to be vigilant about their own behaviour, ensure that they avoid any visual intrusion, and announce their intention of entering any rooms where pupils might be changing. Staff should never change in the same place as pupils, use the same toilet facilities, shower or bathe with pupils, or assist with any personal care task that a pupil can and should undertake by him/herself.

Pupils should understand that their houseparents or tutor acting on his/her behalf has the right to enter a study in the house at any time without invitation or warning. Out of courtesy, though, the houseparents would normally knock just before entering, and at times when pupils are likely to be changing (such as before breakfast, before and after games and at bedtimes) the houseparents should also wait a reasonable time for an 'all-clear' before entering.

Photographs, video and other multimedia content

Given the rights of privacy and data protection which any individual should enjoy, and the potential misuse of images of children, any such image-recording activity needs to have a clear professional purpose. All content should be recorded using a school device and stored on school equipment. Personal devices should not be used, unless by the express prior permission of the Head, in which event the content should be uploaded to the school system and deleted from the personal device and any other form of storage (cloud storage, for example) in timely fashion.

Parents of all pupils are invited to refuse permission to have any image of their son or daughter displayed in published material. Very few choose this option, but staff who take photographs of pupils on school devices must check with the Director of Communications and Development that any picture that is to be displayed or published, especially on the internet, does not contain the image of a pupil for whom parental permission has been withheld.

Staff who take photographs of scenes that include pupils need to remain sensitive to any pupils who for whatever reason appear uncomfortable, and should recognise the potential for such activities to raise concerns or lead to misunderstandings. Due regard should always be given to safeguarding the privacy, dignity and interests of pupils. Although in most circumstances it is clearly not practicable to obtain consent from every pupil who might appear in a photograph, great care should be taken when photographing pupils without their knowledge. Photographs of pupils should never be taken 'in secret'. It is not appropriate for staff to take photographs of children for their personal use.

Exposure to inappropriate images

Staff should take extreme care to ensure that pupils are not exposed, through any medium, to inappropriate or indecent images. Staff have a responsibility to keep their passwords confidential and not to allow unauthorised access by others to equipment.

There is no circumstance that justifies colleagues having indecent images or pseudo-images of children because accessing, making, downloading, storing or distributing such images is illegal.

Accessing these images, whether on School or personal equipment, on or off the premises, or making, storing or disseminating such material is illegal.

If indecent images of children are discovered at Port Regis then an immediate referral must be made to the DSL, the Headmaster, and the LADO, and the Police contacted if relevant. If the images are of children known to the School, a referral will also be made to Children's Social Care.

If indecent images of children are discovered at Port Regis, then the images and equipment should be secured and isolated from the network and there should be no attempt to view or delete the images as this could jeopardise necessary criminal action. It is critical that colleagues do not attempt to investigate the matter or evaluate the material themselves as this may lead to a contamination of evidence and a possibility that they will be at risk of prosecution themselves.

Colleagues must not use Port Regis equipment to access pornography, nor must they have in School any personal equipment containing such images or links to them. Such behaviour will raise serious concerns about the suitability of the adult to continue working with children. Further to the above, colleagues should:

- Ensure that all films or material shown to pupils are age appropriate.
- Keep their passwords confidential and not allow unauthorised access.

Personal living accommodation including on-site provision

Staff should not invite pupils into their living accommodation unless this is for an official event in a designated shared space¹ agreed with the Deputy Head Pastoral. A risk assessment must be prepared and signed off by the Deputy Head Pastoral in advance in order that appropriate arrangements are made to safeguard all concerned.

Staff living in boarding houses must not invite pupils into their own accommodation.² (The national Minimum Standards for Boarding states, of Standard 20.10 'This standard does not prevent boarders visiting their friends who live in staff residential accommodation.' In this situation, boarding staff must inform the DSL and Deputy Head Pastoral and obtain written consent from visiting pupils' parents.)

Staff living in boarding houses must use appropriate discretion when receiving visitors, and those visitors must not enter parts of the boarding house that are open to children without being accompanied. For example, if access to the staff accommodation is via communal areas, any visitor's travel through these areas must be accompanied by the member of staff.

Access to pupil accommodation

Colleagues must always knock on the door of a cubie before going in. It is not appropriate to remain in the room if a pupil is changing. However, if the pupil is dressed for bed or is in bed, a conversation may take place.

For very obvious reasons, supervision in dormitories is vital. Those colleagues involved in such supervision must always be aware of the pupils' need for privacy.

Colleagues are not expected to patrol bathrooms, unless there is a particular need (arising perhaps from the suspected misuse of such rooms). Colleagues should announce their intention of entering and only remain in the room when essential.

¹ For example: The Headmaster's House

² Unless in emergency circumstances agreed with or immediately reported to the DSL and Headmaster

Offering comfort

There may be occasions when it might be considered appropriate to offer sympathy and reassurance that involves physical contact or even a display of affection to a distressed or inconsolable pupil: after a fall or other sudden injury, for example, or on receipt of disappointing or upsetting news, or in severe cases of homesickness. It should not be assumed, though, that all pupils would welcome physical comfort in such circumstances, and the child's own reaction to a physical approach should always be checked first, and their wish respected. Staff should use their professional judgement to comfort or reassure a pupil in way that is appropriate to his/her age and gender, taking care to ensure that any action that could be interpreted as a display of affection does not take place unless another adult is present.

Staff should always report to the DSL any concern they might have that an action of theirs may have been misinterpreted.

Whistleblowing

Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. Port Regis places a great deal of value upon having a culture of safety and of raising concerns allowing reflective practice. Further guidance for colleagues is available in the Whistleblowing Policy.

Colleagues should recognise their individual responsibilities to bring matters of concern to the attention of the Head, the DSL, The Deputy Heads or the Bursar and / or relevant external agencies.

Not to do so may result in charges of serious neglect on their part where the welfare of children may be at risk.

Sharing concerns and recording incidents

Members of staff should feel able to discuss with their line manager any difficulties or problems that may affect their relationship with or behaviour towards pupils, so that appropriate support can be provided and/or action taken.

In order to protect pupils and staff, all colleagues must be aware of the School's safeguarding procedures, including the procedures for dealing with allegations against staff and volunteers. It is vital that these are always followed. This means that colleagues should:

- Be familiar with the School's arrangements for reporting and recording concerns and allegations.
- Know how to contact the LADO and other relevant external agencies if required.
- Take responsibility for recording any incident, and passing on that information where they have concerns about any matter concerning the welfare of an individual in the School.

Low-level Concerns

As part of Port Regis's approach to safeguarding, we promote an open and transparent culture in which all concerns about staff and volunteers are dealt with promptly, appropriately and are accurately recorded. Such

concerns that are substantiated will be held on employees' personnel files. This includes those concerns that are categorised as 'low-level', not meeting the harms threshold as set out in Part Four of Keeping Children Safe in Education, 2022. The term 'low-level' does not suggest that the concern is insignificant, simply that it does not meet the harms threshold – in other words, to have:

- behaved in a way that has harmed a child, or may have harmed a child and/or;
- possibly committed a criminal offence against or related to a child and/or;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Therefore, a 'low-level concern' is any concern, no matter how seemingly small, that a member of staff, or a volunteer, might have acted in a way that is inconsistent with the Staff Code of Conduct, including inappropriate conduct outside of work, yet that does not meet the aforementioned harms threshold for an allegation or is otherwise not considered serious enough to consider a referral to the LADO. Examples of such behaviour could include being over-friendly with children; having favourites; taking photographs of children on personal mobile phones; engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or using inappropriate sexualised, intimidating or offensive language.

Reports of low-level concerns about supply staff and contractors will be notified to their employers so any potential patterns of inappropriate behaviour can be identified.

Raising low-level concerns is important to creating a culture of openness, trust and transparency at Port Regis. It can also help and support staff by allowing inappropriate behaviour, which can be unintentional, to be addressed at an early stage. If a staff member has found themselves in a situation that might be misinterpreted or in which they feel that, on reflection, they have behaved in a less than professional manner, they are encouraged to self-refer.

Low-level concerns about staff should be reported, using the Port Regis Staff Low-level Concerns Form, to the DSL, Iain Hepburn, who will immediately share all information with the Head, Titus Mills. Details of the concern will be recorded, including the context in which the concern arose, the action taken, and the name of the individual raising the concern (although should that individual wish to remain anonymous, their wish will be respected where at all possible). The Head will oversee investigation of the concern, with assistance from the DSL and HR Manager where appropriate, collecting as much evidence as possible by speaking where possible with the person who raised the concern, to the individual involved and to any witnesses.

If the concern is about the Head, then staff should report the concern to the Chair of Governors: Mr. James Hussey.

A record of the low-level concern and related actions will be retained by the DSL, in a place accessible to the Head and HR Manager. If the low-level concern is substantiated, the DSL will inform relevant senior staff, including the Head, and a copy of the report will be provided to the HR Manager, Geraldine White, who will save the concern on the relevant personnel file kept in accordance with the School's Retention of Records Policy. Note that whilst substantiated safeguarding allegations will be provided in references, low-level concerns will not, unless they relate to issues that would normally be included in a reference, such as misconduct or poor performance.

Low-level concerns are reviewed, at least termly, by the Head, DSL, DSL for EYFS and HR Manager so that potential patterns of concerning, problematic or inappropriate behaviour can be identified and responded to. Where a pattern of behaviour is identified, the school should decide on a course of action. This might be internal disciplinary procedures, or referral to the LADO if the harms threshold is met (and if clarification or advice is required). Port Regis will consider if there are any wider cultural issues in school that enabled the behaviour to occur and, if appropriate, policies could be revised or extra training delivered to minimise the risk of recurrence.

Confiscating the property of pupils

It is acceptable to confiscate the property of pupils (for instance a mobile device) as long as the confiscation is on Port Regis premises - or elsewhere where the pupil is under the School's duty of care, and where the confiscation is 'reasonable'. 'Reasonableness' is defined as any clear breach of the School rules or where there is a clear concern about pupil safety. The confiscation must also be proportionate to the offence.

Knowledge of School policies

Port Regis is required by law to have certain policies, and these are supplemented by law over time. These policies are published in full on the School's website. It is unrealistic to expect colleagues to have a detailed knowledge of all the policies, but they should know of their existence and be ready to look them up and apply them as needed and appropriate. There are, though, some policies which need to be well known by all members of staff. Of these, the most important are the Child Protection and Safeguarding Policy, Anti-bullying Policy, including Cyber-bullying Policy; and this particular policy.

Author: Iain Hepburn with approval of Sophie O'Keefe, Governor
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