

West Midlands UTC

Code of Conduct Policy

Our West Midlands UTC (WMUTC) Code of Conduct recognises that Adults have a crucial role to play in the lives of children. This guidance has been produced to help them establish the safest possible learning and working environments which safeguard children and reduce the risk of them being falsely accused of improper or unprofessional conduct.

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Comments	This appendix elaborates on elements referred to within the Professional Conduct and Respect Policy.		
Monitoring, Evaluation and Review	The Governing Body will review this document at least every 1-2years. Monitoring and Evaluation shall be conducted...		

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1. Introduction

- 1.1.** The term ‘allegation’ means where it is alleged that a person who works with children has
 - 1.1.1.** behaved in a way that has harmed a child, or may have harmed a child;
 - 1.1.1.** possibly committed a criminal offence against or related to a child; or,
 - 1.1.2.** behaved towards a child or children in a way that indicates they may pose a risk of harm to children.
- 1.2.** Staff and adults at WMUTC should understand that their own behaviour and the manner in which they conduct themselves with their colleagues, learners, parents and other stakeholders, sets an example.
- 1.3.** WMUTC expects all of its learners to receive the highest possible quality of teaching and care within a positive and respectful environment.
- 1.4.** We expect all staff to demonstrate consistently high standards of personal and professional conduct at all times. All staff must have regard for the need to safeguard learners’ well-being in accordance with statutory requirements. All staff should treat learners with dignity and build positive relationships rooted in mutual respect.
- 1.5.** All staff employed under Teacher’s Terms and Conditions of Employment have a statutory obligation to adhere to the ‘Teachers’ Standards 2012’.
- 1.6.** This document applies to all staff members who are:
 - 1.6.1.** Employed by WMUTC, including the Principal
 - 1.6.2.** Employed in units or bases that are attached to WMUTC
 - 1.6.3.** Supply staff
 - 1.6.4.** Agency and third party staff
 - 1.6.5.** Volunteers
- 1.7.** All staff must have proper and professional regard for the ethos, policies and practices of our school.
- 1.8.** This Code of Conduct should be read and adhered to in conjunction with the following school policies:
 - 1.8.1.** Safeguarding Policy
 - 1.8.2.** Health and Safety Policy
 - 1.8.3.** Data Protection Policy
 - 1.8.4.** Equal Opportunities Policy
 - 1.8.5.** Managing Allegations Policy
 - 1.8.6.** Whistleblowing policy
 - 1.8.7.** Sexting (youth produced sexual imagery)

2. Underpinning principles

- 2.1.** The welfare of the learner is paramount
- 2.2.** Staff should understand their responsibilities to safeguard and promote the welfare of learners

- 2.3. Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions
- 2.4. Staff should work, and be seen to work, in an open and transparent way
- 2.5. Staff should acknowledge that deliberately invented/malicious allegations are extremely rare and that all concerns should be reported and recorded
- 2.6. Staff should discuss and/or take advice promptly from their line manager if they have acted in a way which may give rise to concern
- 2.7. Staff should apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief and sexual orientation
- 2.8. Staff should not consume or be under the influence of alcohol or any substance, including prescribed medication, which may affect their ability to care for children
- 2.9. Staff should be aware that breaches of the law and other professional guidelines could result in disciplinary action being taken against them, criminal action and/or other proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity, or for acts of serious misconduct prohibition from teaching by the National College of Teaching & Leadership (NCTL).
- 2.10. Staff and managers should continually monitor and review practice to ensure this guidance is followed
- 2.11. Staff should be aware of and understand their WMUTC's child protection policy, arrangements for managing allegations against staff, staff behaviour policy, whistle blowing procedure and their Local Safeguarding Children Board LSCB procedures.

3. Responsibilities and duty of care

3.1. Staff should:

- 3.1.1. understand the responsibilities which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached
- 3.1.2. always act, and be seen to act, in the learner's best interests
- 3.1.3. avoid any conduct which would lead any reasonable person to question their motivation and intentions
- 3.1.4. take responsibility for their own actions and behaviour

3.2. The Principal will promote a culture of openness and support by:

- 3.2.1. ensuring that systems are in place for concerns to be raised
- 3.2.2. ensuring that adults are not placed in situations which render them particularly vulnerable
- 3.2.3. ensuring that all adults are aware of expectations, policies and procedures

3.3. Governors will:

- 3.3.1. ensure that appropriate safeguarding and child protection policies and procedures are distributed, adopted, implemented and monitored

4. Making professional judgements

4.1. Where no specific guidance exists staff should:

- 4.1.1. discuss the circumstances that informed their action, or their proposed action, with the school's designated safeguarding lead. This will help to ensure that the safest practices are employed and reduce the risk of actions being misinterpreted
- 4.1.2. always discuss any misunderstanding, accidents or threats with the Principal or Designated Safeguarding Lead (Claire Gleeson)

- 4.1.3. always record discussions and actions taken with their justifications
- 4.1.4. record any areas of disagreement and, if necessary refer to another agency, the LA, Ofsted, NCTL or other Regulatory Body

5. Power and positions of trust and authority

5.1. Staff should not:

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

6. Confidentiality

6.1. Staff:

- 6.1.1. need to know the name of the Designated Safeguarding Lead (DSL – Claire Gleeson) and the Deputy Designated Safeguarding Lead (DDSL – Simon Maxfield and Simon Smith) and be familiar with the WMUTC's and Wolverhampton Safeguarding Child's Board WSCB child protection procedures and guidance
- 6.1.2. are expected to treat information they receive about learners and families in a discreet and confidential manner
- 6.1.3. should seek advice from a senior member of staff or Designated Safeguarding Lead (Claire Gleeson) if they are in any doubt about sharing information they hold or which has been requested of them
- 6.1.4. need to be clear about when information can/ must be shared and in what circumstances
- 6.1.5. need to know the procedures for responding to allegations against staff and to whom any concerns or allegations should be reported
- 6.1.6. need to ensure that where personal information is recorded using modern technologies that systems and devices are kept secure

7. Standards of Behaviour

7.1. Staff should not:

- 7.1.1. behave in a manner which would lead any reasonable person to question their suitability to work with children or to act as an appropriate role model
- 7.1.2. make, or encourage others to make sexual remarks to, or about, a learner
- 7.1.3. use inappropriate language to or in the presence of learners
- 7.1.4. discuss their personal or sexual relationships with or in the presence of learners
- 7.1.5. make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such

7.2. Staff should:

- 7.2.1. be aware that behaviour by themselves, those with whom they share a household, or others in their personal lives, may impact on their work with children

- 7.2.2. understand that a person who provides Early Years education or Childcare may be disqualified because of their “association” with a person living or employed in the same household who is disqualified.

8. Dress and Appearance

8.1. Staff should wear clothing which:

- 8.1.1. promotes a positive and professional image
- 8.1.2. is appropriate to their role
- 8.1.3. is not likely to be viewed as offensive, revealing, or sexually provocative
- 8.1.4. does not distract, cause embarrassment or give rise to misunderstanding
- 8.1.5. is absent of any political or otherwise contentious slogans
- 8.1.6. is not considered to be discriminatory
- 8.1.7. is compliant with professional standards

9. Gifts, rewards, favouritism and exclusion

9.1. Staff should:

- 9.1.1. be aware of and understand their organisation’s relevant policies, e.g. rewarding positive behaviour
- 9.1.2. ensure that gifts received or given in situations which may be misconstrued are declared and recorded
- 9.1.3. only give gifts to a learner as part of an agreed reward system
- 9.1.4. where giving gifts other than as above, ensure that these are of insignificant value and given to all learners equally
- 9.1.5. ensure that all selection processes of learners are fair and these are undertaken and agreed by more than one member of staff
- 9.1.6. ensure that they do not behave in a manner which is either favourable or unfavourable to individual learners

10. Infatuations and ‘crushes’

10.1. Staff should:

- 10.1.1. report any indications (verbal, written or physical) that suggest a learner may be infatuated with a member of staff
- 10.1.2. always maintain professional boundaries

10.2. Senior managers should:

- 10.2.1. put action plans in place where concerns are brought to their attention

11. Social contact outside of the workplace

11.1. Staff should:

- 11.1.1. always approve any planned social contact with learners or parents with senior colleagues, for example when it is part of a reward scheme
- 11.1.2. advise senior management of any regular social contact they have with a learner which could give rise to concern
- 11.1.3. refrain from sending personal communication to learners or parents unless agreed with senior managers

- 11.1.4.** inform senior management of any relationship with a parent where this extends beyond the usual parent/professional relationship
- 11.1.5.** inform senior management of any requests or arrangements where parents wish to use their services outside of the UTC e.g. babysitting, tutoring.

12. Communication with children (including the use of technology)

12.1. Staff should:

- 12.1.1.** not seek to communicate/make contact or respond to contact with learners outside of the purposes of their work
- 12.1.2.** not give out their personal details
- 12.1.3.** use only equipment and Internet services provided by the UTC
- 12.1.4.** follow the UTC's Acceptable Use policy
- 12.1.5.** ensure that their use of technologies could not bring their employer into disrepute

13. Physical Contact

13.1. Staff should:

- 13.1.1.** be aware that even well intentioned physical contact may be misconstrued by the learner, an observer or any person to whom this action is described
- 13.1.2.** never touch a learner in a way which may be considered indecent
- 13.1.3.** always be prepared to explain actions and accept that all physical contact be open to scrutiny
- 13.1.4.** never indulge in horseplay or fun fights
- 13.1.5.** always allow/encourage learners, where able, to undertake self-care tasks independently
- 13.1.6.** ensure the way they offer comfort to a distressed learner is age appropriate
- 13.1.7.** always tell a colleague when and how they offered comfort to a distressed learner
- 13.1.8.** establish the preferences of learners
- 13.1.9.** consider alternatives, where it is anticipated that a learner might misinterpret or be uncomfortable with physical contact
- 13.1.10.** always explain to the learner the reason why contact is necessary and what form that contact will take
- 13.1.11.** report and record situations which may give rise to concern
- 13.1.12.** be aware of cultural or religious views about touching and be sensitive to issues of gender

13.2. WMUTC will:

- 13.2.1.** ensure they have a system in place for recording incidents and the means by which information about incidents and outcomes can be easily accessed by senior management
- 13.2.2.** provide staff, on a 'need to know' basis, with relevant information about vulnerable children in their care

14. Other activities that require physical contact

14.1. Staff should:

- 14.1.1.** treat learners with dignity and respect and avoid contact with intimate parts of the body
- 14.1.2.** always explain to a learner the reason why contact is necessary and what form that contact will take
- 14.1.3.** seek consent of parents where a learner is unable to give this e.g. because of a disability
- 14.1.4.** consider alternatives, where it is anticipated that a learner might misinterpret any such contact
- 14.1.5.** be familiar with and follow recommended guidance and protocols

- 14.1.6.** conduct activities where they can be seen by others
- 14.1.7.** be aware of gender, cultural and religious issues that may need to be considered prior to initiating physical contact

14.2. WMUTC:

- 14.2.1.** has in place up to date guidance and protocols on appropriate physical contact, that promote safe practice and include clear expectations of behaviour and conduct (WMUTC Safeguarding policy)
- 14.2.2.** ensures that staff are made aware of this guidance and that it is continually promoted through safeguarding training

15. Intimate / personal care

15.1. WMUTC will:

- 15.1.1.** ensure that written care plans are put in place for any learner who could be expected to require intimate care
- 15.1.2.** ensure that learners are actively consulted about their own care plan

15.2. Staff should:

- 15.2.1.** adhere to their organisation's intimate and personal care policy
- 15.2.2.** make other staff aware of the task being undertaken
- 15.2.3.** always explain to the learner what is happening before a care procedure begins
- 15.2.4.** consult with colleagues where any variation from agreed procedure/care plan is necessary
- 15.2.5.** record the justification for any variations to the agreed procedure/care plan and share this information with the learner and their parents/carers
- 15.2.6.** avoid any visually intrusive behaviour
- 15.2.7.** where there are changing rooms announce their intention of entering
- 15.2.8.** always consider the supervision needs of the learners and only remain in the room where their needs require this

15.3. Staff should not:

- 15.3.1.** change or toilet in the presence or sight of learners
- 15.3.2.** shower with learners
- 15.3.3.** assist with intimate or personal care tasks which the learner is able to undertake independently.

16. Behaviour management

16.1. Staff should:

- 16.1.1.** not use force as a form of punishment
- 16.1.2.** try to defuse situations before they escalate e.g. by distraction
- 16.1.3.** keep parents informed of any sanctions or behaviour management techniques used
- 16.1.4.** be mindful of and sensitive to factors both inside and outside of the school or setting which may impact on a learner's behaviour
- 16.1.5.** follow the WMUTC's behaviour management policy
- 16.1.6.** behave as a role model
- 16.1.7.** avoid shouting at children other than as a warning in an emergency/safety situation
- 16.1.8.** refer to national and local policy and guidance regarding Restrictive Physical Intervention (RPI)
- 16.1.9.** 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.

17. Sexual Conduct

17.1. Staff should:

- 17.1.1.** not have any form of sexual contact with a learner from the school or setting
- 17.1.2.** avoid any form of touch or comment which is, or may be considered to be, indecent
- 17.1.3.** avoid any form of communication with a learner 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
- 17.1.4.** not make sexual remarks to or about a learner
- 17.1.5.** not discuss sexual matters with or in the presence of learners other than within agreed curriculum content or as part of their recognised job role

18. One to one situations

18.1. Staff should:

- 18.1.1.** ensure that wherever possible there is visual access and/or an open door in one to one situations
- 18.1.2.** avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy
- 18.1.3.** always report any situation where a learner becomes distressed or angry
- 18.1.4.** consider the needs and circumstances of the learner involved

19. Home visits

19.1. Staff should:

- 19.1.1.** agree the purpose for any home visit with their manager
- 19.1.2.** adhere to agreed risk management strategies
- 19.1.3.** avoid unannounced visits wherever possible
- 19.1.4.** ensure there is visual access and/or an open door in one to one situations
- 19.1.5.** always make detailed records including times of arrival and departure
- 19.1.6.** ensure any behaviour or situation which gives rise to concern is discussed with their manager

19.2. WMUTC will:

- 19.2.1.** ensure that they have home visit and lone-working policies which all adults are made aware of. These should include arrangements for risk assessment and management
- 19.2.2.** ensure that all visits are justified and recorded
- 19.2.3.** ensure that staff are not exposed to unacceptable risk
- 19.2.4.** make clear to staff that, other than in an emergency, they should not enter a home if the parent/carer is absent
- 19.2.5.** ensure that staff have access to a mobile telephone and an emergency contact

20. Transporting learners

20.1. Staff should:

- 20.1.1.** plan and agree arrangements with all parties in advance
- 20.1.2.** respond sensitively and flexibly where any concerns arise
- 20.1.3.** take into account any specific or additional needs of the learner
- 20.1.4.** have an appropriate licence/permit for the vehicle

- 20.1.5.** ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement and/ or ability to drive
- 20.1.6.** ensure that if they need to be alone with a learner this is for the minimum time
- 20.1.7.** be aware that the safety and welfare of the learner is their responsibility until this is safely passed over to a parent/carer
- 20.1.8.** report the nature of the journey, the route and expected time of arrival in accordance with agreed procedures
- 20.1.9.** ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety. This includes having proper and appropriate insurance for the type of vehicle being driven
- 20.1.10.** ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified
- 20.1.11.** refer to Local and National guidance for Educational Visits

21. Educational Visits

21.1. Staff should:

- 21.1.1.** adhere to their organisation's educational visits guidance
- 21.1.2.** always have another adult present on visits, unless otherwise agreed with senior staff
- 21.1.3.** undertake risk assessments
- 21.1.4.** have parental consent to the activity
- 21.1.5.** ensure that their behaviour remains professional at all times
- 21.1.6.** never share beds with a child/learner
- 21.1.7.** never share bedrooms unless it involves a dormitory situation and the arrangements have been previously discussed with the Principal, parents and learners
- 21.1.8.** refer to local and national guidance for Educational visits, including exchange visits (both to the UK and abroad)

22. First Aid and Medication

22.1. WMUTC will:

- 22.1.1.** ensure there are trained and named individuals to undertake first aid responsibilities, including paediatric first aid if relevant
- 22.1.2.** ensure training is regularly monitored and updated
- 22.1.3.** refer to local and national First Aid guidance and guidance on meeting the needs of children with medical conditions that adults should:
- 22.1.4.** adhere to the school or setting's health and safety and supporting learners with medical conditions policies
- 22.1.5.** make other staff aware of the task being undertaken
- 22.1.6.** have regard to learners' individual healthcare plans
- 22.1.7.** always ensure that an appropriate health/risk assessment is undertaken prior to undertaking certain activities
- 22.1.8.** explain to the learner what is happening.
- 22.1.9.** always act and be seen to act in the learner's best interest
- 22.1.10.** make a record of all medications administered
- 22.1.11.** not work with learners whilst taking medication unless medical advice confirms that they are able to do so

23. Photography, videos and other images

23.1. Staff should:

- 23.1.1.** adhere to the WMUTC policy
- 23.1.2.** only publish images of learners where they and their parent/carer have given explicit written consent to do so
- 23.1.3.** only take images where the learner is happy for them to do so
- 23.1.4.** only retain images when there is a clear and agreed purpose for doing so
- 23.1.5.** store images in an appropriate secure place in the school or setting
- 23.1.6.** ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose
- 23.1.7.** be able to justify images of learners in their possession
- 23.1.8.** avoid making images in one to one situations

23.2. Staff should not:

- 23.2.1.** take images of learners for their personal use
- 23.2.2.** display or distribute images of learners unless they are sure that they have parental consent to do so (and, where appropriate, consent from the child)
- 23.2.3.** take images of children using personal equipment
- 23.2.4.** take images of children in a state of undress or semi-undress
- 23.2.5.** take images of children which could be considered as indecent or sexual

24. Exposure to inappropriate images

24.1. Staff should:

- 24.1.1.** abide by the WMUTC acceptable use and e-safety policies
- 24.1.2.** abide by the WMUTC Sexting (youth produced sexual imagery) policy guidelines
- 24.1.3.** ensure that children cannot be exposed to indecent or inappropriate images
- 24.1.4.** ensure that any films or material shown to children are age appropriate

25. Overnight supervision and examinations

25.1. WMUTC will:

- 25.1.1.** ensure that all arrangements reflect a duty of care towards learners and staff

25.2. Where staff do supervise candidates overnight:

- 25.2.1.** a full health and safety risk assessment should have been undertaken
- 25.2.2.** all members of the household should have had appropriate vetting including, where eligible, DBS and barred list checks
- 25.2.3.** all arrangements should be made in partnership and agreement with the learner and parents/carers
- 25.2.4.** arrangements involving one to one supervision should be avoided wherever possible.
- 25.2.5.** as much choice, flexibility and contact with 'the outside world', should be incorporated into any arrangement so far as is consistent with appropriate supervision
- 25.2.6.** whenever possible, independent oversight of arrangements should be made
- 25.2.7.** any situation which gives rise to complaint, disagreement or misunderstanding should be reported
- 25.2.8.** staff should have regard to any local and national guidance

26. Curriculum

26.1. Staff should:

- 26.1.1.** have planned lesson work appropriately
- 26.1.2.** take care when encouraging learners to use self-expression, not to overstep personal and professional boundaries
- 26.1.3.** be able to justify all curriculum materials and relate these to clearly identifiable lessons plans.

26.2. Staff should not:

- 26.2.1.** enter into or encourage inappropriate discussions which may offend or harm others
- 26.2.2.** undermine fundamental British values
- 26.2.3.** express any prejudicial views
- 26.2.4.** attempt to influence or impose their personal values, attitudes or beliefs on learners

27. Whistleblowing

27.1. WMUTC:

- 27.1.1.** has a whistleblowing policy in place which is known to all
- 27.1.2.** Ensures staff are familiar with the NSPCC Whistleblowing helpline
- 27.1.3.** provides, as part of their safeguarding and child protection policy, clear procedures for dealing with allegations against persons working in or on behalf of the school or setting

27.2. Staff should:

- 27.3.** report any behaviour by colleagues that raises concern
- 27.4.** report allegations against staff and volunteers following the school's policy and procedures for managing allegations

28. Sharing concerns and recording incidents

28.1. Staff should:

- 28.1.1.** be familiar with their WMUTC's arrangements for reporting and recording concerns and allegations
- 28.1.2.** know how to contact the LA Designated Officer
- 28.1.3.** take responsibility for reporting any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the school or setting

28.2. WMUTC:

- 28.2.1.** has an effective, confidential system for recording and managing concerns raised by any individual regarding adults' conduct and any allegations against staff and volunteers

29. DfE Guidance and other documentation has been used to create this document. The specific guidance documents include:

30. "Guidance for safer working practice for those working with children and young people in education settings - October 2015".