

# Staff code of conduct

Just Learn

**Approved by:** Mrs Zarah Gadatara **Date:** Autumn 2021

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### 1. Aims, scope and principles

This policy aims to set and maintain standards of conduct that we expect all staff to follow.

By creating this policy, we aim to ensure our school is an environment where everyone is safe, happy and treated with respect.

School staff have an influential position in the school and will act as role models for pupils by consistently demonstrating high standards of behaviour.

We expect that all teachers will act in accordance with the personal and professional behaviours set out in the Teachers' Standards.

We expect all support staff, board of Trustees and volunteers to also act with personal and professional integrity, respecting the safety and wellbeing of others.

- 1.1 The Board of Trustees of Just Learn Independent School have a legal duty under Section 175 of the Education Act 2002 to safeguard and promote the welfare of students by creating and maintaining a safe learning environment.
- 1.2 In this regard all Just Learn Independent School Staff have a duty to keep children and young people safe and protect them from harm. Staff should ensure that they do not put themselves in situations in which allegations of abuse or inappropriate behaviour could be made.
- 1.3 The Public are entitled to expect the highest standards of conduct from school staff, board of trustees and volunteers and to have trust and confidence in their integrity.
- 1.4 All adults working at Just Learn Independent School must therefore act in utmost good faith with regard to the business of the school and not do anything which may adversely affect its reputation.
- 1.5 The following Code has been drawn up with the view to reducing the risk of staff being accused of improper or unprofessional conduct in all aspects of their work. It aims to help staff work safely and professionally and clarify what behaviour constitute safe practice and what is unacceptable and/or illegal.

The Code refers to Just Learn Staff Handbook; Keeping Children Safe in Education; Teacher's Standards  
Failure to follow the code of conduct may result in disciplinary action being taken, as set out in our staff disciplinary procedures.

Please note that this code of conduct is not exhaustive. If situations arise that are not covered by this code, staff will use their professional judgement and act in the best interests of the school and its pupils.

## 2. Legislation and guidance

In line with the statutory safeguarding guidance [Keeping Children Safe in Education](#), we should have a staff code of conduct, which should cover acceptable use of technologies (including the use of mobile devices), staff/pupil relationships and communications, including the use of social media.

This policy also complies with our funding agreement and articles of association.

## 3. General obligations

Staff set an example to pupils. They will:

- › Maintain high standards in their attendance and punctuality
- › Never use inappropriate or offensive language in school
- › Treat pupils and others with dignity and respect
- › Show tolerance and respect for the rights of others
- › Not undermine fundamental British values, including democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs
- › Not express personal beliefs in a way that exploits pupils' vulnerability or might lead them to break the law
- › Understand the statutory frameworks they must act within
- › Adhere to the Teachers' Standards

## 4. Safeguarding

Staff have a duty to safeguard pupils from harm, and to report any concerns they have. This includes physical, emotional and sexual abuse, and neglect.

Staff will familiarise themselves with our child protection and safeguarding policy and procedures, and the Prevent initiative, and ensure they are aware of the processes to follow if they have concerns about a child.

Our child protection and safeguarding policy and procedures are available for example: in the staff room and from the school office, as well as in the policies section of our school website. New staff will also be given copies on arrival.

### 4.1 Low-level concerns about members of staff

A low-level concern is a behaviour towards a child by a member of staff that does not meet the harms threshold, is inconsistent with the staff code of conduct, and may be as simple as causing a sense of unease or a 'nagging doubt'. For example, this may include:

- › Being over-friendly with children
- › Having favourites
- › Taking photographs of children on a personal device
- › Engaging in one-to-one activities where they can't easily be seen
- › Using inappropriate language

Low-level concerns can include inappropriate conduct inside and outside of work.

All staff should share any low-level concerns they have using the reporting procedures set out in our child protection and safeguarding policy. We also encourage staff to self-refer if they find themselves in a situation that could be misinterpreted. If staff are not sure whether behaviour would be deemed a low-level concern, we encourage staff to report it.

All reports will be handled in a responsive, sensitive and proportionate way.

Unprofessional behaviour will be addressed, and the staff member supported to correct it, at an early stage.

This creates and embeds a culture of openness, trust and transparency in which our values and expected behaviour are constantly lived, monitored and reinforced by all staff, while minimising the risk of abuse.

Reporting and responding to low-level concerns is covered in more detail in our child protection and safeguarding policy. This is available from the school office, as well as in the policies section of our school website.

## 5. Staff-pupil relationships

Staff will observe proper boundaries with pupils that are appropriate to their professional position. They will act in a fair and transparent way that would not lead anyone to reasonably assume they are not doing so.

If staff members and pupils must spend time on a one-to-one basis, staff will ensure that:

- › This takes place in a public place that others can access
- › Others can see into the room
- › A colleague or line manager knows this is taking place

Staff should avoid contact with pupils outside of school hours if possible.

Personal contact details should not be exchanged between staff and pupils. This includes social media profiles.

While we are aware many pupils and their parents may wish to give gifts to staff, for example, at the end of the school year, gifts from staff to pupils are not acceptable.

If a staff member is concerned at any point that an interaction between themselves and a pupil may be misinterpreted, or if a staff member is concerned at any point about a fellow staff member and a pupil, this should be reported in line with the procedures set out in our child protection and safeguarding policy.

## 6. Communication and social media

School staff's social media profiles should not be available to pupils. If they have a personal profile on social media sites, they should not use their full name, as pupils may be able to find them. Staff should consider using a first and middle name instead and set public profiles to private.

Staff should not attempt to contact pupils or their parents via social media, or any other means outside school, in order to develop any sort of relationship. They will not make any efforts to find pupils' or parents' social media profiles.

Staff will ensure that they do not post any images online that identify children who are pupils at the school without their consent.

Staff should be aware of the school's online safety policy and the content of the school's safeguarding policy in relation to this area.

## 7. Transporting children

7.1.1 In such cases where students need to be transported between different locations, a designated member of staff should be appointed to plan and provide oversight of all arrangements. A risk assessment is also required to be completed.

7.1.2 Wherever practicable, an adult additional to the driver should act as an escort and all arrangements agreed with relevant parties in advance.

All staff:

- should avoid using private vehicles wherever possible;
- must ensure that they have the appropriate insurance (for business use) where they do have to use their private vehicle;
- should ensure that they are alone with a student for the minimum time possible;
- should be aware that the safety and welfare of the student is their responsibility until this is safely passed over to a parent/carer;
- should report the nature of the journey, the route and expected time of arrival in accordance with agreed procedures;
- should ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety, considering any specific needs that the student may have.

## 8. Educational visits and after school clubs

8.1.1 Any Educational Visit needs to be conducted in accordance with Just Learn's School Visits/Journeys Policy.

8.1.2 Staff should always take care to have another adult present during out of school activities, unless otherwise agreed with senior staff. Health and safety requirements should be strictly adhered to.

8.1.3 Staff should ensure that they display professional behaviour during activities that take place off the school site and ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship. Staff should therefore maintain a professional relationship with students at all times.

In this regard, staff should therefore:

- complete all relevant paperwork including risk assessments;
- have parental consent to the activity;
- ensure that their behaviour remains professional at all times.

## 9. First aid and administration of medication

9.1.1 In cases where first aid or medication needs to be administered, all staff should adhere to Just Learn Independent School Health and Safety policy

9.1.2 A health care plan should be drawn up in circumstances where the child needs to take regular medication and any such agreement between the child, parents/ carers and the school must be negotiated, agreed and recorded.

9.1.3 Where possible, children should be encouraged to administer the medication themselves, with the permission of parents/carers.

Staff should:

- make other staff aware of the task being undertaken

## 10. Physical Contact

10.1.1 It is unrealistic to suggest that teachers should never touch students. There are occasions when it is entirely appropriate and proper for staff to have physical contact with students, such as when a distressed student needs comfort and reassurance. (see also behaviour management, section 18).

However, innocent actions and appropriate physical contact can often be misconstrued and it is therefore crucial that staff only initiate physical contact for the minimum time necessary and in ways appropriate to their own role and the needs of the child.

10.1.2 Staff should use their professional judgement at all times. Where feasible, staff should seek the child's permission before initiating contact. Where a member of staff thinks that an incident could have been misinterpreted it should be reported to the Head of School.

10.1.3 Extra caution may also be required where it is known that a child has suffered previous abuse or neglect. Many such children are often needy and seek out inappropriate contact, thereby leading staff to be vulnerable to allegations of abuse.

In this regard, staff should:

- be aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described;
- never touch a child in a way which may be considered indecent;
- always explain to a student the reason why contact is necessary and what form that contact will take;
- look at alternatives, where it is anticipated that a student might misinterpret contact and consider involving another member of staff, or a less vulnerable student in a demonstration;
- never indulge in horseplay, tickling or fun fights;
- always tell a colleague when and how they offered comfort to a distressed child and record any situations, where they think they may give rise to concern;

- adhere to the school's physical intervention policy and be acquainted with DfES Guidance in respect of physical contact with students and meeting the medical needs of children and young people in school.

## 11. Behaviour management and physical intervention

11.1.1 Corporal punishment is unlawful in all schools and physical force should never be used as a form of punishment; to do so is likely to constitute a criminal offence.

11.2.1 However in some circumstances, staff in schools have the right to use physical intervention/reasonable force for the shortest period necessary to control or restrain students. The Education and Inspections Act 2006 provides the legal power for school staff to use reasonable force to prevent students from committing a crime or causing injury, damage or disruption.

- staff should try to defuse situations before they escalate;
- staff should keep parents informed of any sanctions;
- staff should adhere to Just Learn Independent School's policies on Behaviour Management and Safe Handling ;
- where it is identified that staff are likely to have to restrain on a regular basis they should have received appropriate training.

## 12. Sexual contact with children and curriculum issues

12.1.1 It is a criminal offence for any adult in a position of trust to engage in any form of sexual activity with a young person under 18, even with their consent (Sexual Offences Act 2003). This also includes non-contact activities such as causing children to engage in or watch sexual activity.

12.1.2 There may be occasions when, as part of the curriculum, a teacher has to raise subject matter that is sexually explicit. In such situations, any lesson plan should highlight the areas of risk and sensitivity. Staff should respond to questions with careful judgement and avoid entering into inappropriate or offensive discussions about sexual activity.

In this regard, staff should not:

- use their status and standing to form or promote relationships with students, which are of a sexual nature;
- pursue sexual relationships with children and young people either in or out of school;
- enter into or encourage inappropriate or offensive discussion about sexual activity;
- make sexual remarks to a student (including email, text messages, phone or letter), or use any communication which could be interpreted as sexually suggestive or provocative;
- discuss their own sexual relationships with, or in the presence of students;
- discuss a student's sexual relationships in inappropriate settings or contexts;
- confer special attention and favour upon a child which might be misconstrued as being part of a 'grooming' process.

## 13. Acceptable use of technology

13.1.1 Many school activities involve recording images, but the use of such images needs careful consideration and handling. In particular, children who may have been abused in this way may feel threatened by the use of photography and filming.

13.1.2 The use of any images of children for publicity purposes will also require the appropriate consent of the individual concerned and their legal guardians.

Staff should therefore:

- be clear about the purpose of the activity and about what will happen to the photographs when the lesson or activity is concluded;
- ensure consent is gained from the student and their legal guardians where being used for publicity purposes;
- ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose;
- ensure that all images are available for scrutiny in order to screen for acceptability;
- be able to justify images of students in their possession;
- never use mobile phones to take images;
- avoid making images in one to one situations.

13.1.3 Staff will not use technology in school to view material that is illegal, inappropriate or likely to be deemed offensive. This includes, but is not limited to, sending obscene emails, gambling and viewing pornography or other inappropriate content.

13.1.4 Staff will not use laptops, or school equipment for personal use, in school hours or in front of pupils. The use of mobile phones for personal use whilst on school premises is reasonable, providing that they are not used in front of pupils or whilst engaged in any form of tutoring. Staff will also not use personal mobile phones or cameras to take pictures of pupils. Any misuse or abuse of this during working hours could lead to disciplinary action.

We have the right to monitor emails and internet use on the school IT systems

## 14. Use of company property

14.1 Should you be issued with any equipment in order for you to perform your duties, for example: Academic resources, stationery, computer equipment, ID cards, fobs, keys and other property, such items shall at all times remain the property of the school and upon request of the school shall be returned to the school in the same condition.

14.2 The school's equipment is only to be used for the school purposes.

14.3 On termination of your contract of self-employment, for whatever reason, must return to the school all the property of the school then in your possession or power.

## 15. Confidentiality

In the course of their role, members of staff are often privy to sensitive and confidential information about the school, staff, pupils and their parents.

This information should never be:

- › Disclosed to anyone unless required by law or with consent from the relevant party or parties
- › Used to humiliate, embarrass or blackmail others
- › Used for a purpose other than what it was collected and intended for

This does not overrule staff's duty to report child protection concerns to the appropriate channel where staff believe a child has been harmed or is at risk of harm, as detailed further in our child protection and safeguarding policy.

## 16. Honesty and integrity

16.1.1 Staff should maintain high standards of honesty and integrity in their role. This includes when dealing with pupils, handling money, claiming expenses and using school property and facilities.

16.1.2 Staff will not accept bribes.

16.1.3 Staff should not give or receive gifts from students or parent/carers on a regular basis or of any significant value. It is acceptable however, for staff to receive small tokens of appreciation, such as at Christmas.

- staff should ensure that gifts are declared if received
- staff should generally only give gifts to an individual young person as part of an agreed reward system
- where staff do give gifts, they should ensure that they are of insignificant value and are given to all students equally

Staff will ensure that all information given to the school is correct. This should include:

- › Background information (including any past or current investigations/cautions related to conduct outside of school)
- › Qualifications
- › Professional experience

Where there are any updates to the information provided to the school, the member of staff will advise the school as such as soon as reasonably practicable. Consideration will then be given to the nature and circumstances of the matter and whether this may have an impact on the member of staff's employment.

## 17. Dress code

Staff will dress in a professional, appropriate manner.

Outfits will not be overly revealing.

Clothes will not display any offensive or political slogans.

Your dress code is to be wearing formal, casual type clothing.

## 18. Smoking

Smoking in all areas of the school premises is illegal and strictly forbidden. Warning notices are displayed and failure to comply with this instruction may lead to disciplinary action.

## 19. Conduct outside of work

Staff will not act in a way that would bring the school, or the teaching profession, into disrepute. This covers conduct including but not limited to relevant criminal offences, such as violence or sexual misconduct, as well as negative comments about the school on social media.

## 20. Whistleblowing

Staff who raise concerns about malpractice within their place of work have statutory protection against victimisation for making such a disclosure, under the Public Interest Disclosure Act 1998, and the subsequent Enterprise and Regulatory Reform Act, which was enacted in June 2013. The worker must reasonably believe the disclosure to be in the public interest, and it must otherwise qualify as a protected act.

## 21. Grievance Procedure

We are committed to dealing with grievances fairly and objectively. Employees will be protected from discrimination or victimisation after raising a work-related grievance.

### 21.1 Informal stage

In the first instance, we will aim to resolve an employee's grievance informally with their line manager. If the member of staff's concerns relate to their line manager they should discuss the issue with the line manager's manager.

It may be necessary for the member of staff who has raised a grievance to attend a meeting to discuss the concerns in more detail. However, this will be determined on a case-by case basis.

### 21.2 Formal stage

If it is not possible to resolve the matter informally, employees should set out their grievance in writing to their line manager. If the subject of the grievance is the line manager, the employee should submit the written grievance to an alternative, preferably senior, manager.

Upon receipt of a grievance, an investigating officer will be appointed. This will be an independent individual with no prior knowledge of the complaint.

A grievance panel will also be appointed. This group of people will be separate from the investigating officer and will be chaired by an independent individual, with no prior knowledge of the complaint.

The investigating officer will undertake a grievance investigation and will make a recommendation.

A formal meeting will be arranged within 10 working days after the grievance has been raised. At the meeting, the employee will be given the opportunity to explain their grievance and how they think it should be resolved.

Senior members of staff and independent bodies that will sit in on the panel are Sandy Waugh (education consultant), Munier Jussab (centre director), Shaila Osman (head of school).

Employees have a statutory right to be accompanied by a companion at a grievance meeting. The companion must be a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

### 21.3 Deciding on appropriate action

The meeting will be adjourned and the grievance panel will reflect on it before coming to a decision.

This decision will be communicated to the employee in writing within 5 working days. It will set out the action that will be taken to resolve the grievance. It will also inform the employee that they can appeal if they are not satisfied with the outcome and explain how to do this.

### 21.4 Appeals

If the employee is not satisfied with the outcome of the grievance, they have the right to appeal the decision.

The employee should set out their grounds of appeal in writing as soon as possible and submit this to Zarah Gadatara (Deputy Director).

A grievance appeal panel will be appointed. This will be a group of people independent from any previous stage of the grievance procedure.

Appeals will be heard without unreasonable delay. Employees will be told the time and place of the appeal meeting in advance.

Employees have the same statutory right to be accompanied to the appeal meeting by a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

The outcome of the appeal will be confirmed in writing to the employee within 5 working days.

## 22. Monitoring arrangements

This policy will be reviewed annually but can be revised as needed. It will be approved by the centre director and board of trustees.

Our centre director and board of trustees will ensure this code of conduct is implemented effectively and will ensure appropriate action is taken in a timely manner to safeguard children and deal with any concerns.

## 23. Links with other policies

This policy links with our policies on:

- › All members of staff must read DFE Keeping Children Safe in Education, September 2021 (Annex A)
- › Staff disciplinary procedures, which will be used if staff breach this code of conduct. It also sets out examples of what we will deem as misconduct and gross misconduct
- › Staff grievance procedures
- › Child protection and safeguarding
- › Online safety