



# Tudor Grange Academies Trust

## Adult Code of Conduct

<b>Document title</b>	Adult Code of Conduct
<b>Author/originator</b>	J Brant
<b>Date of Approval/Review</b>	15 <sup>th</sup> November 2023
<b>Approving Committee</b>	Finance and Personnel Committee
<b>Version</b>	2.5
<b>Policy review date</b>	Biennial - November 2025

Date updated	Version	Change from last version
27.04.20	2.1	
01.09.20	2.2	
23.03.21	2.3	
08.10.21	2.4	
15.11.23	2.5	Biennial review: update to paragraphs 1.2, 1.6, 3.2-3.3, 3.5, 4.3, 5.2, 7.2

## Contents

1	Introduction.....	2
2	Expected professional standards.....	4
3	Confidentiality .....	5
4	Propriety, behaviour and appearance.....	5
5	Sexual contact with children and young people, and abuse of trust .....	6
6	Infatuations and crushes .....	7
7	Gifts, rewards, favouritism and exclusion .....	7
8	Social contact and social networking .....	8
9	Physical contact and personal privacy.....	9
10	Behaviour management and physical intervention.....	10
11	One to one situations and meetings with pupils .....	10
12	Transporting pupils .....	11
13	Educational visits and school clubs.....	11
14	Curriculum.....	11
15	Photography, videos, creative arts and virtual teaching and learning .....	11
16	Whistleblowing and cyber-bullying.....	12
17	Unacceptable use of ICT facilities and monitoring .....	13
18	Reporting concerns and recording incidents.....	13

---

### 1 Introduction

- 1.1 This Code of Conduct sets out the professional standards expected and the duty upon all adults on school sites to abide by it. All adults have a duty to keep pupils safe, promote their welfare and to protect them from radicalisation (Prevent duty), abuse (sexual, physical and emotional), neglect and safeguarding concerns. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by adults that demonstrate integrity, maturity and good judgement. Following this Code will help to safeguard adults being maliciously, falsely or mistakenly suspected or accused of misconduct in relation to pupils and the Required Professional Standards.

- 1.2 Throughout this document reference to children and young people refer to all those pupils in our care irrespective of age. This code takes into account the most recent versions of the following guidance (statutory and non-statutory):
- ‘Keeping Children Safe in Education’ Department of Education (KCSIE)(DfE) (statutory)
  - Working Together to Safeguard Children’ HM Government (statutory)
  - ‘Guidance for Safer Working Practice for those Working with Children and Young People in Education Settings’ (non-statutory).
- 1.3 Adults must feel able to raise issues of concern and everyone must fully recognise the duty to do so as detailed in the Trust Safeguarding and Child Protection Policy. Adults have a duty to report any child protection or welfare concerns to the Designated Safeguarding Lead in school. Any adult who has concerns must tell an appropriate person. A member of staff who, in good faith, “whistleblows” or makes a public interest disclosure will have the protection of the relevant legislation.
- 1.4 This Code cannot provide an exhaustive list of what is, or is not, appropriate behaviour for adults. However, it does highlight behaviour that is illegal, inappropriate or inadvisable in relation to the Required Professional Standards. There will be occasions and circumstances in which adults have to make decisions or act in the best interests of the pupil where no specific guidance has been given. Adults are expected to make responsible and informed judgements about their own behaviour in order to secure the best interests and welfare of the pupil.
- 1.5 Any member of staff who is found to have committed a breach of this Code will be subject to disciplinary action. Such behaviour may constitute gross misconduct and, as such, may result in summary dismissal. The governing body will take a strict approach to serious breaches of this Code. The purpose of the probation period is to enable an assessment to be made regarding a Probationer’s suitability for the job for which they have been employed.
- 1.6 Where an allegation of abuse is made against an adult, including those provided by a supply agency or contractor, the governing body will follow the Trust’s Abuse Allegations Procedure and Whistleblowing Policy, as well as the guidance set out in [Keeping Children Safe in Education](#). This applies where it is alleged an adult has:
- behaved in a way that has harmed a child, or may have harmed a child;
  - possibly committed a criminal offence against or related to a child;
  - behaved towards a child or children in a way that indicates s/he may pose a risk of harm to children;
  - behaved or may have behaved in a way that indicates that s/he may not be suitable to work with children.
- 1.7 In accordance with part 4 of Keeping Children Safe in Education, a low level concern is defined as behaviour towards a child that does not meet the harm threshold as outlined above, but is a concern that an adult working in or on behalf of The Trust may have acted in a way that:
- is inconsistent with the Staff Code of conduct, including inappropriate conduct outside work, and
  - does not meet the threshold or is not deemed serious enough to consider a referral to the LADO.

Examples of low level concerns could include, but are not limited to

- being over friendly with children;

- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a 1-1 basis in a secluded area or behind a closed door; or
- using inappropriate, sexualised or offensive language.

1.8 The Trust is committed to creating and embedding a culture of openness, trust and transparency in which the academy's values and expected behaviours, as set out in this policy, are adhered to, monitored and enforced by all staff. All adults have a duty to report low level concerns, in addition to concerns that meet the harm threshold, to those with designated safeguarding responsibilities to ensure matters are dealt with promptly and appropriately. The Trust will manage all such concerns in accordance with part four of Keeping children Safe in Education.

1.9 In the event that an adult has found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards, the adult should self-refer to those with designated safeguarding responsibilities. The Trust is committed to creating an environment where staff are encouraged and feel confident to self-refer.

## **2 Expected professional standards**

2.1 All adults as appropriate to the role and/or job description of the individual, must:

- place the well-being and learning of pupils at the centre of their professional practice;
- have high expectations for all pupils, be committed to addressing underachievement, and work to help pupils progress regardless of their background and personal circumstances;
- treat pupils fairly and with respect, take their knowledge, views, opinions and feelings seriously, and value diversity and individuality;
- model the characteristics they are trying to inspire in pupils, including enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people;
- respond sensitively to the differences in the home backgrounds and circumstances of pupils, recognising the key role that parents and carers play in pupils' education;
- seek to work in partnership with parents and carers, respecting their views and promoting understanding and co-operation to support the pupil's learning and well-being in and out of school;
- reflect on their own practice, develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues;
- Ensure the same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity.

2.2 Teachers are required to comply with the Teachers' Standards in force September 1st 2012, in particular Part 2 Personal and Professional Standards.

2.3 All adults must be familiar with and act in accordance with the most recent version of the following documents:

- Part 1 of [Keeping Children Safe in Education](#) (statutory)

- Working Together to Safeguard Children HM Government (statutory)
- Prevent Duty Guidance HM government (statutory)
- The Prevent Duty Departmental Advice for Schools and Childcare Providers (non statutory)
- Guidance for safer working Practices for those Working with Children and Young People in Education (non statutory)

2.4 An employee who fails to bring a matter of concern to the attention of senior management and/or the appropriate agency is likely to be subject to disciplinary action.

### **3 Confidentiality**

3.1 As data controllers, all schools are subject to the Data Protection Act 2018 and the General Data Protection Regulation (GDPR). In addition, teachers owe a common law duty of care to safeguard the welfare of their pupils. This duty is acknowledged in the provisions governing disclosure of information about pupils.

3.2 Adults may have access to confidential information about pupils and their families, which must be kept confidential at all times and only shared when legally permissible to do so and in the interests of the Pupil. Records should only be shared with those who have a legitimate professional need to see them. In some circumstances, the information may be sensitive and/or confidential. In circumstances where the pupil's identity does not need to be disclosed, the information should be used anonymously. Information must never be used to intimidate, humiliate, or embarrass the pupil.

3.3 There are some circumstances in which a member of staff may be expected to share information about a pupil, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay to those with designated pupil protection responsibilities. Confidentiality must not be promised to any pupil or adult raising concerns, however reassurance can be given that the matter will be treated sensitively.

3.4 Confidential information about pupils must be held securely. Confidential information about pupil must not be held off the school site other than on security protected school equipment. Information must only be stored for the length of time necessary to discharge the task for which it is required.

3.5 If a member of staff is in any doubt about the storage or sharing of information s/he must seek guidance from a senior member of staff or Designated Safeguarding Lead. Any media or legal enquiries must be passed to senior management.

### **4 Propriety, behaviour and appearance**

4.1 All adults working with children have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their colleagues, pupils and the public in general. An individual's behaviour or actions, either in or out of the workplace, should not compromise her/his position within the work setting or bring the school into disrepute. The misuse of drugs, alcohol or acts of violence would be examples of such behaviour. An individual's behaviour must not lead any reasonable person to question their ability to work with children or to act as a suitable role model. They must not make, or encourage others to make sexual remarks to, or about, a pupil. They must not use inappropriate language to or in the presence of pupils or discuss their personal or sexual relationships in the presence of pupils. They must not make, or encourage others to make,

unprofessional personal comments which scapegoat, demean or humiliate (or may be interpreted as such) to or in the presence of pupils.

- 4.2 Adults are required to notify the school immediately of any allegation/s of misconduct that are of a safeguarding nature made against them (or implicating them), by any child or adult in relation to any outside work or interest (whether paid or unpaid) and, of any arrest or criminal charge whether safeguarding-related or not. Where employees fail to do so, this will be treated as a serious breach of this code and dealt with under the disciplinary procedure.
- 4.3 A person's dress and appearance are matters of personal choice and self-expression. However, adults must ensure they are dressed in ways which are appropriate to their role, promote a positive and professional image and not likely to be viewed as offensive, revealing or sexually provocative. Specifically, dress should not distract, cause embarrassment or give rise to misunderstanding, should be culturally sensitive and free of any political or otherwise contentious slogans, and not considered to be discriminatory. Those who dress or appear in a manner which may be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct. This is as relevant online as at school and staff should wear clothing similar to that which they would wear in the classroom when engaging with pupils online.
- 4.4 Personal property of a sexually explicit nature such as books, magazines, CDs, DVDs or such material on any electronic media must not be brought onto or stored on the school premises or on any school equipment.

## **5 Sexual contact with children and young people, and abuse of trust**

- 5.1 A relationship between an adult and a child or young person is not a relationship between equals; the adult has a position of power and influence. There is potential for exploitation and harm of vulnerable young people and all adults have a responsibility to ensure that this unequal balance of power is not used for personal advantage or gratification. Adults must not use their position to form or promote relationships with children (whether current pupils or not) that are of or may become of a sexual nature. Adults should maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others. They should report any incident with this potential.
- 5.2 Any sexual behaviour or activity, by an adult with or towards a child or young person is illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether there is consent or not. Where a person aged 18 or over is in a specified position of trust with a child or young person under 18 years, the Sexual Offences Act 2003 makes it an offence for that person to engage in sexual activity with or in the presence of that child or to cause or incite that child to engage in or watch sexual activity.
- 5.3 Sexual behaviour includes non-contact activities, such as causing a child or young person to engage in or watch sexual activity or the production of indecent images of children. 'Working Together to Safeguard Children', defines sexual abuse as "forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening".
- 5.4 Adults must not have sexual relationships with pupils, have any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, texts, electronic mail, phone calls, social networking contact or physical contact. The adult should not make sexual remarks to, or about, a child or young

person or discuss their own sexual relationships with or in the presence of pupils. Adults should take care that their language or conduct does not give rise to comment or speculations. Attitudes, demeanour and language all require care and thought.

- 5.5 There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child or young person, and manipulate that relationship so that sexual abuse can take place. Adults should be aware that conferring special attention without good reason or favouring a pupil has the potential to be construed as being part of a 'grooming' process, which is a criminal offence.

## **6 Infatuations and crushes**

- 6.1 A child or young person may develop an infatuation with an adult who works with them. An adult who becomes aware (may receive a report, overhear something, notice a sign, no matter how small or seemingly insignificant) that a pupil may be infatuated with him/herself or a colleague, must report this without delay to a senior colleague so that appropriate action can be taken to avoid any hurt, distress or embarrassment. The situation will be taken seriously and the adult should be careful to ensure that no encouragement of any kind is given to the pupil. It should also be recognised that careless and insensitive reactions may provoke false accusations.
- 6.2 Examples of situations which must be reported are given below:
- where a member of staff or volunteer is concerned that he or she might be developing a relationship with a pupil which could have the potential to represent an abuse of trust;
  - where a member of staff or volunteer is concerned that a pupil is becoming attracted to him or her or that there is a developing attachment or dependency;
  - where a member of staff or volunteer is concerned that actions or words have been misunderstood or misconstrued by a pupil such that an abuse of trust might be wrongly suspected by others;
  - where a member of staff or volunteer is concerned about the apparent development of a relationship by another member of staff or volunteer, or receives information about such a relationship.

## **7 Gifts, rewards, favouritism and exclusion**

- 7.1 It is against the law for public servants to take bribes. Staff, governors and volunteers need to take care that they do not accept any gift that might be construed by others as a bribe, or lead the giver to expect preferential treatment. There are occasions when pupils or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.
- 7.2 Personal gifts must not be given to pupils or their families or carers. This could be misinterpreted as a gesture either to bribe, groom or single out the young person. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a pupil should be consistent with the school's behaviour or rewards policy, recorded, and not based on favouritism.
- 7.3 Care should be taken when selecting pupils for specific activities, jobs, privileges and when pupils are excluded from an activity in order to avoid perceptions of favouritism or injustice. Methods of selection and exclusion should be subject to clear, fair and agreed criteria.

## **8 Social contact and social networking**

- 8.1 Communication between pupils and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones and other hand held devices, emails, digital cameras, videos, web-cams, instant messages, text messages websites and social media such as Facebook, Twitter, Instagram, WhatsApp, chat-rooms, forums, blogs and gaming sites. Adults should not share any personal information with pupils. They should not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role. If a pupil seeks to establish social contact, or if this occurs coincidentally, the adult should exercise his or her professional judgment in making a response and should ensure that all communications are transparent and open to scrutiny.
- 8.2 Adults must not give their personal contact details such as home/mobile phone number; home or personal e-mail address or social networking details to pupils unless the need to do so is agreed in writing with senior management. If staff need to contact a pupil or parent/carer by phone and do not have access to a work phone, they should discuss this with a senior leader. If no alternative is available, then it may be agreed that the staff member can use their personal phone and withhold their number. If a pupil attempts to locate an adult's personal contact details and tries to contact or correspond with them, the adult should not reply and must report the matter to their line manager.
- 8.3 It is recommended that staff ensure that all possible privacy settings are activated to prevent pupils from making contact on personal profiles and to prevent pupils from accessing photo albums or other personal information which may appear on social networking sites.
- 8.4 Adults must not have any pupils or any ex-pupils under the age of 18 as friends on their social networking sites. Staff are advised not to have any online friendships with any young people under the age of 18, unless they are family members or close family friends. Staff are advised not to have online friendships with parents or carers of pupils, or members of the governing body/trustees. Where such on line friendships exist, staff must ensure that appropriate professional boundaries are maintained.
- 8.5 Adults are personally responsible for what they communicate in social media and must bear in mind that what is published might be read by us, pupils, parents and carers, the general public, future employers and friends and family for a long time. Adults must ensure that their online profiles are consistent with the professional image expected by us and should not post material which damages the reputation of the school or which causes concern about their suitability to work with children and young people. Those who post material which may be considered as inappropriate could render themselves vulnerable to criticism or allegations of misconduct which may be dealt with under the school's disciplinary procedure. Even where it is made clear that the writer's views on such topics do not represent those of the School, such comments are inappropriate.
- 8.6 It is acknowledged that adults may have genuine friendships and social contact with parents or carers, independent of the professional relationship. Adults should inform senior management of any relationship with a parent/carer or pupil which extends beyond the usual professional contact. This may involve social contact or perhaps use of services such as babysitting or tutoring. In such circumstances the adult should exercise their professional judgement and ensure that all communications are transparent and open to scrutiny.



## 9 Physical contact and personal privacy

- 9.1 There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity, culture and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil in one set of circumstances may be inappropriate in another, or with a different pupil.
- 9.2 Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. If an adult believes that an action could be misinterpreted, the incident and circumstances should be reported as soon as possible using the school's internal reporting system and, if appropriate, a copy placed on the pupil's file and the member of staff' personnel file.
- 9.3 Physical contact, which occurs regularly with a pupil, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to pupils with SEN or physical disabilities). Any such contact should be the subject of an agreed and open school policy and subject to review. Where feasible, staff should seek the pupil's permission before initiating contact. Staff should listen, observe and take note of the pupil's reaction or feelings and – so far as is possible - use a level of contact which is acceptable to the pupil for the minimum time necessary.
- 9.4 There may be occasions when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation. Adults should always tell a colleague when and how they offered comfort to a distressed pupil and if an adult has concerns about the need to provide such care s/he should seek further advice from a senior manager.
- 9.5 Some staff, for example, those who teach PE and games, or who provide music tuition will on occasions have to initiate physical contact with pupils in order to support a pupil so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the pupil's agreement. Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil.

Pupils are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard pupils, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the pupils concerned and sensitive to the potential for embarrassment. Adults who are required, a part of their role to attend changing rooms should announce their intention to enter and only remain in the room for the time necessary.

- 9.6 Staff with a job description which includes intimate care duties will have appropriate training and written guidance. No other member of staff or volunteer should be involved in intimate care duties except in an emergency. Staff should adhere to the Academy's intimate and personal care policy.

## **10 Behaviour management and physical intervention**

- 10.1 All pupils have a right to be treated with respect and dignity. Corporal punishment is unlawful in all schools. Adults must not use any form of degrading treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards pupils is not acceptable in any situation. Deliberately intimidating pupils by shouting aggressively, hectoring or overbearing physical presence is not acceptable in any situation. Any sanctions or rewards used should be part of the Academy's Behaviour Policy.
- 10.2 Physical intervention can only be justified in exceptional circumstances. Non-statutory guidance is available from the Department of Education website. See "Use of reasonable force (a guide for Head Teachers, Staff and Governing Bodies)". Adults may legitimately intervene to prevent a pupil from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Adults should have regard to the health and safety of themselves and others. Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence. Where it can be anticipated that physical intervention is likely to be required, a plan agreed with pupils, parents/carers and the academy should be put in place. The Academy has specific policies on Behaviour Management and the use of Physical intervention.
- 10.3 The Academy has a separate policy for supporting pupils with medical conditions and trained first aiders. Adults must have had the appropriate training before administering medication. staff taking medication must ensure that it does not effect their ability to work with and care for pupils in their care.

## **11 One to one situations and meetings with pupils**

- 11.1 One to one situations have the potential to make children/young persons more vulnerable to harm by those who seek to exploit their position of trust. Adults working in a one to one setting with pupils may also be more vulnerable to unjust or unfounded allegations being made against them. Adults must recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure that the safety and security needs of both staff and pupils are met. Managers should undertake a risk assessment in relation to the specific nature and implications of one to one work for each worker and pupil. Where such a meeting is demonstrably unavoidable it is advisable to avoid remote or secluded areas of the school and to ensure that the door of the room is left open and/or visual/auditory contact with others is maintained. Any such arrangements should be reviewed regularly.
- 11.2 In the event of a school closure where only one child remains onsite, the school must ensure that sufficient staff remain onsite to meet fire safety, first aid, supervision and emergency protocols.
- 11.3 Pre-arranged meetings with pupils away from the school premises or on the school site when the school is not in session are not permitted unless written approval is obtained from their parent/ guardian and the Principal or other senior colleague with delegated authority.
- 11.4 No child or young person should be in or invited into, the home of an adult who works with them, unless the reason for this has been established and agreed with parents/carers and a senior manager/Principal.

## **12 Transporting pupils**

- 12.1 In certain situations e.g. out of school activities, adults may agree to transport pupils. Transport arrangements should be made in advance by a designated member of staff. Wherever possible and practicable transport should be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort.
- 12.2 Adults should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They must ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded. It is inappropriate for staff to offer lifts to a pupil unless this has been brought to the attention of the line manager and has been agreed with parents/carers.
- 12.3 There may be occasions where a pupil requires transport in an emergency situation or where not to give a lift may place a pupil at risk. Such circumstances must always be recorded and reported to a senior manager and parents/carers.

## **13 Educational visits and school clubs**

- 13.1 Adults should take particular care when supervising pupils in the less formal atmosphere of an educational visit, particularly in a residential setting, or afterschool activity. Adults remain in a position of trust and the same standards of conduct apply. Please refer to the school's policy on educational visits and the Trust Health and Safety Policy.

## **14 Curriculum**

- 14.1 Many areas of the curriculum can include or raise subject matter which is sexually explicit, of a political, cultural, religious or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity.
- 14.2 The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit, political, cultural, religious or otherwise sensitive nature. Responding to pupils' questions can require careful judgement and staff must take guidance in these circumstances from a senior member of staff or Designated Safeguarding Lead. Adults must not enter into or encourage inappropriate discussion about sexual, political, cultural or religious activity or behaviour which may offend or harm others. Adults should be mindful of their obligations under KCSIE and the Prevent duty and accordingly must not express views that are prejudicial or attempt to influence or impose their personal values, attitudes or beliefs on pupils.
- 14.3 Adults must adhere to the Academy's policy on sex and relationships education (SRE) and the policy on spiritual, moral, social and cultural development (SMSC), which promotes fundamental British values

## **15 Photography, videos, creative arts and virtual teaching and learning**

- 15.1 Adults must adhere to the school's guidance on the use of images and the consent forms therein, the ICO CCTV code of practice. Please also refer to the Trust's live online sessions guidance.
- 15.2 Many educational activities involve the taking or recording of images, lessons or meetings. This may be undertaken as part of the curriculum, extra school activities, for publicity, or to

celebrate achievement. The General Data Protection Regulation affects the use of photography. An image of a child is personal data and it is, therefore, a requirement under the Act that consent is obtained from the parent of a child before any images are made such as those used for school web sites, notice boards, productions or other purposes. Administrative staff retain a list of pupils for whom we have consent to use images.

- 15.3 Adults need to be aware of the potential for such images to be misused to create indecent images of children and/or for 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken. There should be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.
- 15.4 Adults should remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken or be recorded.
- 15.5 When delivering online content, it is the responsibility of staff to act as moderators and raise issues of concern with the pupil and parent/carer immediately, ending the online interaction if necessary and informing senior leaders.
- 15.6 Adults should only use equipment provided or authorised by the school to make/take images and should not use mobile telephones or any other similar devices to make/take images. Adults should also ensure that any contact with pupils occurs during normal school hours. Adults are not permitted to record online sessions or meetings using personal equipment, unless agreed and risk assessed by senior leaders.
- 15.7 The following guidance must be followed:
  - if a photograph or recording is used, avoid naming the pupil;
  - if the pupil is named, avoid using the photograph or recording;
  - photographs/images/recordings must be securely stored and used only by those authorised to do so;
  - be clear about the purpose of the activity and about what will happen to the photographs/images/recordings when the lesson/activity is concluded;
  - ensure that a senior member of staff is aware that the photography/image/recording equipment is being used and for what purpose;
  - ensure that all photographs/images/recordings are available for scrutiny in order to screen for acceptability;
  - be able to justify the photographs/images/recordings made;
  - do not take photographs in one to one situations;
  - do not take, display or distribute photographs/images/recordings of pupils unless there is consent to do so.
  - do not take images of pupils for personal use
  - do not take images of pupils in a state of undress or semi undress or that could be considered indecent or sexual.
  - do not take images of a child's injury (e.g following disclosure of abuse)
  - do not make audio recordings of a child's disclosure

## **16 Whistleblowing and cyber-bullying**

- 16.1 Staff who have concerns about any alleged abuse or inappropriate use of ICT resources, virtual learning environments, camera/recording equipment, telephony, social networking sites,

email or internet facilities or inappropriate communications, whether by pupils, parents, carers or staff, or others should alert the designated safeguarding lead person. Where a concern relates to the designated safeguarding lead, this should be reported to the Principal/Head of School.

## **17 Unacceptable use of ICT facilities and monitoring**

- 17.1 All adults are expected to be familiar and comply with the Trust Acceptable use of IT/ esafety Policy. Posting, creating, accessing, transmitting, downloading, uploading, sharing or storing any of the following material (unless it is part of an authorised investigation) is likely to amount to gross misconduct and result in summary dismissal (this list is not exhaustive):
- i. pornographic or sexually suggestive material or images of children or adults which may be construed as such in the circumstances (that is, writing, texting, pictures, films and video clips of a sexually explicit or arousing nature);
  - ii. any other type of offensive, obscene or discriminatory material or criminal material or material which is liable to cause distress or embarrassment to the Academy, Trust or others.
- 17.2 The contents of our ICT resources and communications systems are our property. Therefore, adults should have no expectation of privacy in any message, files, data, document, facsimile, telephone conversation, social media post, conversation or message, or any other kind of information or communications transmitted to, received or printed from, or stored or recorded on our electronic information and communications systems.
- 17.3 We reserve the right to monitor, intercept and review, without further notice, staff usage of our IT resources and communications systems, including but not limited to telephone, e-mail, messaging, voicemail, CCTV, internet and social media postings and activities, to ensure that our rules are being complied with and for the following purposes:
- i. to monitor whether the use of the e-mail system or the internet is legitimate and in accordance with this Code;
  - ii. to assist in the investigation of alleged wrongful acts;
  - iii. to comply with any legal obligation.
- 17.4 Adults consent to monitoring by acknowledgement of this Code and the use of our resources and systems. We may store copies of data or communications for a period of time after they are created, and may delete such copies from time to time without notice. If necessary information may be handed to the police in connection with a criminal investigation.
- 17.5 A CCTV system monitors the Academy 24 hours a day. This data is recorded and may be used as evidence of any alleged wrong doing.
- 17.6 Cyber-bullying can be experienced by adults as well as pupils. Adults should notify the HR Director if they are subject to such treatment without delay. The Trust will endeavour to protect adults and stop any inappropriate conduct.

## **18 Reporting concerns and recording incidents**

- 18.1 All staff, governors and volunteers must report concerns and incidents in accordance with the guidance set out in KCSIE, the school whistleblowing policy and the managing allegations of abuse policy. In the event of an allegation being made, or incident being witnessed, the relevant information should be immediately recorded and the matter reported. Where low level concerns are raised the Principal, Senior Manager or safeguarding Lead should speak to

the individual and witnesses involved and consider the matter under the disciplinary procedure which may result in informal or formal action. If any concerns are raised by a third party the Principal, Senior Manager or Safeguarding Lead should collect as much evidence as possible. An Employee who fails to bring a matter of concern to the attention of the appropriate person will be subject to disciplinary action.

18.2 The following is a non-exhaustive list of behaviours which would be a cause for concern. An adult who:

- allows a pupil/young person to be treated badly or pretends not to know it is happening;
- gossips/shares information inappropriately;
- demonstrates inappropriate discriminatory behaviour and/or uses inappropriate language;
- dresses in a way which is inappropriate for the job role;
- does not treat pupils fairly - demonstrates favouritism;
- demonstrates a lack of understanding about personal and professional boundaries;
- uses his/her position of trust to intimidate, threaten, coerce or undermine
- appears to have an inappropriate social relationship with a pupil;
- appears to have special or different relationships with a pupil or pupils;
- seems to seek out unnecessary opportunities to be alone with a pupil.

18.3 In the event that a member of staff is concerned by the school's adherence to the managing allegations of abuse policy, they must refer to the whistleblowing policy and follow the advice therein.