Merchant Taylors' School

CODE OF CONDUCT FOR STAFF

Purpose and application

1 **Purpose**: Relationships with fellow Staff, pupils and their parents, guardians or carers should be reasonable and mutually respectful at all times. The purpose of this Code is to:

1.1 place the welfare of children at the centre of the School and its culture

1.2 confirm and reinforce the professional responsibilities of all Staff

1.3 clarify the legal position in relation to sensitive aspects of Staff / pupil relationships and communication including the use of social media

1.4 set out the expectations of standards and behaviour to be maintained within the School;

1.5 help adults establish safe practices and reduce the risk of false accusations or improper conduct.

2 **Application**: This Code of Conduct (including its Appendices) (**Code**) applies to all Staff working at the School, whether paid or unpaid, whatever their position, role or responsibilities and Staff includes employees, governors, trustees, contractors, work experience / placement students and volunteers (**Staff**). All Staff will receive training in relation to this Code.

3 **Relationship with other policies and guidance**: This Code should be read in conjunction with the School's policies including the child protection and safeguarding policy and procedures, the whistleblowing policy, and the guidance set out at Appendix 1 (**Guidance**).

Key duties

4 **General duty**: It is the contractual duty of every member of Staff to observe the rules and obligations in this Code. You should also follow the Guidance. The School also has a duty of care to its Staff, parents, guardians or carers and pupils and the implementation of the practices in this Code will help to discharge that duty.

5 **Duty to report wrongdoing**: All Staff are under a duty to report their own wrongdoing, or any wrongdoing or proposed wrongdoing of any other member of Staff or any conduct which they may suspect to be inappropriate. This duty applies even if the concern is no more than one which causes a sense of unease or a nagging doubt. Staff are under a duty to report suspected, known or proposed wrongdoing in conjunction with the School's policies including the section entitled "Safeguarding Concerns & Allegations Regarding School Staff, Supply Staff And Volunteers" within the School's Safeguarding Policy and the whistleblowing policy contained within this Employment Manual. This includes suspected, known or proposed wrongdoing brought to the attention of a member of Staff by a pupil, parent or other adult.

6 **Duty to report potential abuse:** Some of the behaviours contained in this Code (and in particular at Appendix 2) may indicate that a child has been, or is currently being, abused, exploited or neglected. Any incident involving children that could give cause for concern must always be reported promptly in accordance with the School's child protection and safeguarding policy and procedures, either to the Head Master (if it meets the 'harms

threshold' as detailed within the Safeguarding Policy) or to the Designated Safeguarding Lead (if a 'low level concern', as detailed within the Safeguarding Policy).

7 **Record keeping:** Comprehensive records are essential. All concerns, discussions and decisions made and the reasons for those decisions should be recorded in writing. Records should include a clear and comprehensive summary of the concern, details of how the concern was followed up and resolved, a note of any action taken, decisions reached and the outcome. Information should be kept confidential and stored securely. If there is any doubt about recording requirements this should be discussed with the Designated Safeguarding Lead.

Guiding principles for Staff

8 **Principles:** The School prioritises the welfare of children, its diverse and inclusive culture, and the maintenance of positive and professional relationships between Staff and fellow Staff, pupils and their parents, guardians and/or carers. All Staff should follow the guiding principles set out in this paragraph (**Principles**) and refer to the Appendices for further detail of the application of the Principles.

9 **Public trust and confidence**

9.1 All Staff should maintain public trust and confidence in the School and in their profession by:

9.1.1 demonstrating honesty and integrity;

9.1.2 understanding and upholding their duty to safeguard the welfare of children and young people;

9.1.3 understanding and demonstrating fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs;

9.1.4 maintaining reasonable standards of behaviour whether inside or outside of normal school hours and whether on or off the School's site; and

9.1.5 maintaining an effective learning environment.

10 **Appropriate pupil relationships**

10.1 All Staff should put the well-being, development and progress of all pupils first by:

10.1.1 taking all reasonable steps to ensure the safety and well-being of pupils under their supervision, taking particular account of the detailed guidance at Appendix 2;

10.1.2 using professional expertise and judgment to protect the best interests of pupils in their care;

10.1.3 following the guidance at Appendix 3 to ensure they maintain appropriate, professional and effective pupil-staff relationships at all times;

10.1.4 following the guidance at Appendix 4 to ensure all communication with pupils (including where technology is used) remains appropriate and professional at all times;

10.1.5 ensuring all interactions with pupils about political matters are conducted in a balanced and impartial way without promoting partisan political views, taking into account the guidance at Appendix 4;

10.1.6 following the guidance at Appendix 5 in any situation where you are taking photo or video camera footage of a pupil or pupils;

10.1.7 demonstrating self-awareness and taking responsibility for their own actions and for providing help and support to pupils;

10.1.8 following the guidance at Appendix 6 in respect of the use of force or physical restraint on pupils, and Appendix 7 in respect of physical contact with pupils in other circumstances;

10.1.9 raising concerns about the practices of teachers or other professionals where these may have a negative impact on pupils' learning or progress, or may put pupils at risk;

10.1.10 being familiar with the School's child protection and safeguarding policy and procedures and the pupil behaviour [and discipline] policy;

10.1.11 reading and understanding Part 1, and where appropriate Annex A, of KCSIE (September 2023);

10.1.12 knowing the role, identity and contact details of the current Designated Safeguarding Lead and their Deputies;

10.1.13 knowing the role, identity and contact details of the Nominated Safeguarding Governor; and

10.1.14 being aware that they are in a position of trust (i.e. the adult is in a position of power or influence over the pupil due to his or her work); that the relationship is not a relationship between equals and that this position must never be used to intimidate, bully, humiliate, coerce or threaten pupils.

11 Diversity, equality and inclusion

11.1 All Staff should demonstrate respect for diversity and take steps to promote equality by:

11.1.1 acting appropriately and in accordance with this Code and other relevant policies including the School's anti-bullying policy, equal opportunities policy and harassment and bullying policy;

11.1.2 addressing issues of discrimination and bullying whenever they arise; and

11.1.3 helping to create a fair and inclusive school environment.

12 United Staff body

12.1 All Staff should work as part of a united Staff body by:

12.1.1 developing productive and supportive relationships with colleagues;

12.1.2 exercising any management responsibilities in a respectful, inclusive and fair manner;

12.1.3 complying with all School policies and procedures;

12.1.4 participating in the School's development and improvement activities;

12.1.5 recognising the role of the School in the life of the local community; and

12.1.6 upholding the School's reputation and standing within the local community and building trust and confidence in it.

13 **Language and appearance**

13.1 **Language:** You should use appropriate language at all times. You should:

13.1.1 avoid words or expressions that have any unnecessary sexual content or innuendo; avoid displays of affection either personally or in writing (e.g. messages in birthday cards, text messages, emails etc);

13.1.2 avoid any form of aggressive or threatening words;

13.1.3 avoid any words or actions that are over-familiar;

13.1.4 not swear, blaspheme or use any sort of offensive language in front of pupils;

13.1.5 avoid the use of sarcasm, discriminatory or derogatory words when punishing or disciplining pupils and avoid making unprofessional personal comments about anyone. Any sanctions should be in accordance with the School's behaviour and discipline policies; and

13.1.6 be aware that some parts of the curriculum may raise sexually explicit subject matters. Care should be taken in subjects where rules / boundaries are relaxed (e.g. drama or art). Staff should have clear lesson plans and should take care to avoid overstepping personal and professional boundaries.

13.2 **Dress**: You should dress appropriately and in a professional manner. Dress must not be offensive, distracting, revealing, sexually provocative, embarrassing or discriminatory. Political or other contentious slogans or badges are not allowed.

14 **Gifts and rewards**

14.1 **Anti-bribery and corruption policy**: Before accepting or giving any gifts or rewards, Staff must familiarise themselves with and follow the anti-bribery and corruption policy contained in this Employment Manual.

15 **General conduct**

15.1 **School property**: You must take proper care when using School property and you must not use School property for any unauthorised use or for private gain.

15.2 **Use of premises**: You must not carry out any work or activity on School premises other than pursuant to your terms and conditions of employment without the prior permission of the Head.

15.3 **Behaviour of others**: You should be aware that the behaviour of your partner or other family members or any member of your household may raise concerns which could affect the welfare of a member of the School community, a member of the public, or bring the School into disrepute and you should bring any such behaviour to the immediate attention of the School. Such concerns will be given careful consideration as to whether they constitute a potential risk to children at the School or its reputation.

16 **Additional principles for teachers**

16.1 Teachers should take responsibility for maintaining the quality of their teaching practice by:

16.1.1 meeting the professional standards for teaching applicable to their role and position within the School;

16.1.2 reflecting on their current practice and seeking out opportunities to develop knowledge, understanding and skills;

16.1.3 helping pupils to become confident and successful learners; and

16.1.4 establishing productive relationships with parents, guardians or carers by:

(a) providing accessible and accurate information about their child's progress;

(b) involving them in important decisions about their child's education; and

(c) complying with this Code.

Breach of this Code

17 **Consequences of breach:** The School will take appropriate action in accordance with its policies and procedures in the event of a breach of this Code.

18 **Reporting obligations:** Tn the event that a breach of this Code places the School under any reporting obligations, the guidance contained at Appendix 8 will apply.

Appendix 1 Relevant policies and guidance

This Code has regard to the School's child protection and safeguarding policy and procedures and the following guidance (collectively referred to in this Code as the **Guidance**):

1 *Keeping children safe in education* (September 2023) (**KCSIE**) (which refers to the non-statutory advice for practitioners: *What to do if you're worried a child is being abused* (March 2015));

2 *Disqualification under the Childcare Act 2006* (August 2018);

3 *Working together to safeguard children* (July 2018, updated July 2022) (**WT**):

3.1 WT refers to the non-statutory advice: *Information sharing* (July 2018).

4 *Revised Prevent Duty Guidance: for England and Wales* (April 2021) (**Prevent**). Prevent is supplemented by:

4.1 *The Prevent duty: Departmental advice for schools and childminders* (June 2015);

4.2 *Channel Duty Guidance: Protecting vulnerable people from being drawn into terrorism* (February 2021);

4.3 *The use of social media for online radicalisation* (July 2015).

5 Guidance on female genital mutilation, to include:

5.1 *Multi-agency statutory guidance on female genital mutilation* (July 2020);

5.2 Home Office statutory guidance *Mandatory Reporting of Female Genital Mutilation: procedural information* (October 2015);

5.3 Guidance published by the Department for Health which provides useful information and support for health professionals which will be taken into account by the School's medical staff.

6 Guidance on mental health, to include:

6.1 *Preventing and Tackling Bullying* (July 2017);

6.2 *Mental Health and Behaviour in Schools* (November 2018); and

6.3 *Promoting children and young people's emotional health and wellbeing* (March 2015)

7 *Political impartiality in schools* (February 2022).

Appendix 2 Protecting children from abuse, exploitation or neglect

All Staff should know what to do if they suspect or are told a child is being abused, exploited or neglected. This Appendix provides more information on the kinds of abuse children may suffer both within and outside the home, and how Staff should respond.

The School encourages an open and transparent culture in which it may identify concerning, problematic or inappropriate behaviour early, minimise the risk of abuse and ensure that all Staff working in or on behalf of the School are clear about professional boundaries and act within these boundaries. All Staff should be aware of their responsibility in relation to even low level concerns which should be reported in accordance with the School's Safeguarding Policy, specifically the section entitled "Safeguarding Concerns & Allegations Regarding School Staff, Supply Staff And Volunteers" within the School's Safeguarding Policy and the guidance in Part 1 of KCSIE, September 2023.

If you are involved in a situation where no specific guidance exists, you should discuss the circumstances with the Designated Safeguarding Lead but always act within the spirit of these guidelines. A written record should be kept that includes justification for any action taken.

General guidance

1 You should be aware of the general guidance that will apply in all cases. In particular you:

1.1 must be familiar with procedures for reporting concerns in accordance with the School's whistleblowing policy and be aware that if Staff raise concerns about working practices at the School to the Designated Safeguarding Lead or an appropriate senior member of Staff that they will be protected from detriment under the whistleblowing policy;

1.2 must be familiar with the local reporting guidelines and the Local Safeguarding Partners reporting threshold document in respect of any concerns relating to children;

1.3 must be familiar with procedures for handling allegations against Staff as set out in the School's child protection and safeguarding policy and procedures;

1.4 must seek guidance from the Designated Safeguarding Lead if you are in any doubt about appropriate conduct; and

1.5 must report any actions which could be misinterpreted, any misunderstandings, accidents or threats involving you and a pupil or a group of pupils to the Designated Safeguarding Lead.

2 You should take particular care when dealing with a pupil who:

2.1 appears to be emotionally distressed, or generally vulnerable and / or who is seeking expressions of affection;

2.2 appears to hold a grudge against you;

2.3 acts in a sexually provocative way, or who is inclined to make exaggerated claims about themselves and others, or to fantasise, or one whose manner with adults is over familiar; and

2.4 may have reason to make up an allegation to cover the fact that he or she has not worked hard enough for public examinations.

3 **Procedure to be followed in these cases**: Some of these behaviours may be indications that a child has been, or is currently being, abused and should therefore be reported to the Designated Safeguarding Lead under the School's child protection and safeguarding policy and procedures.

Disclosures of abuse, exploitation or neglect

4 All Staff should know what to do if a child tells them that they are being abused, exploited or neglected. All Staff should be able to reassure victims that they are being taken seriously and that they will be supported and kept safe. A victim should never be given the impression that they are creating a problem by reporting abuse, sexual violence or sexual harassment. Nor should a victim ever be made to feel ashamed for making a report.

5 Staff should know how to manage the requirement to maintain an appropriate level of confidentiality. This means only involving those who need to be involved, such as the Designated Safeguarding Lead (or deputy) and children's social care. Staff should never promise a child that they will not tell anyone about a report of any form of abuse, as this may ultimately not be in the best interests of the child.

6 Staff should follow the appropriate School procedure, including the safeguarding and child protection policy, and/or the whistleblowing policy, in order to report a concern or an allegation that has been made.

Suspicions of abuse, exploitation or neglect

7 Staff may from time to time suspect a child is suffering abuse exploitation or neglect within or outside the home. Staff should follow the appropriate School procedure, including the safeguarding and child protection policy (and particularly the raising allegations and concerns policy within the safeguarding and child protection policy), and/or the whistleblowing policy, in order to report any such concerns.

Child-on-child abuse

8 Staff must be aware of the risks of child-on-child abuse and be familiar with procedures for handling allegations against other children and bullying as set out in the School's child protection and safeguarding policy and procedures. Examples of child-on-child abuse are bullying (including cyberbullying), physical abuse, sexual violence and sexual harassment, upskirting, the consensual and non-consensual sharing of nudes and semi nudes images and videos (also known as sexting or youth produced sexual imagery) and initiation and hazing (which could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may include an online element especially around chat groups, and the sharing of abusive images and pornography).

Mental health concerns

9 Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

10 It is key that Staff are aware of how experiences such as abuse, neglect or other potentially traumatic adverse childhood experiences can impact on a child's mental health, behaviour and education. All Staff should be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

11 If Staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following the School's child protection and safeguarding policy and procedures.

Extra-familial harm

12 All Staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the School and/or can occur between children outside of the School environment. All Staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their

families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

13 All Staff must be aware of indicators that children are at risk from, or are involved with serious violent crime. These may include being male, increased absence from school or having been frequently absent or permanently excluded from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, having experienced child maltreatment, having been involved in offending such as theft or robbery, signs of self-harm or a significant change in wellbeing or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with, individuals associated with criminal networks or gangs.

Terrorism and extremism

14 All Staff should understand that the School has a legal duty to have regard to the need to prevent people from being drawn into terrorism, and consequently should be aware of:

14.1 what extremism and radicalisation means and why people - including pupils and fellow Staff members - may be vulnerable to being drawn into terrorism as a consequence of it;

14.2 what measures are available to prevent people from becoming drawn into terrorism and how to challenge the extremist ideology that can be associated with it; and

14.3 how to obtain support for people who may be being exploited by radicalising influences.

Honour based abuse and female genital mutilation (FGM)

15 All Staff should raise any concerns relating to honour-based abuse (to include FGM and forced marriage) with the Designated Safeguarding Lead and involve children's social care as appropriate in accordance with the School's child protection and safeguarding policy and procedures. Teachers must also report to the police cases where they discover (either through disclosure by the victim or visual evidence) that an act of FGM appears to have been carried out on a girl under the age of 18. The report should be made orally by calling 101, the single non-emergency number. It will be rare for teachers to see visual evidence, and they should not be examining pupils but those failing to report such cases will face disciplinary sanctions.

Appendix 3 Guidance on Staff / pupil relationships

General guidance on Staff / pupil relationships

1 **Application:** Allegations of unprofessional conduct or improper contact or words can arise at any time. Professionalism and vigilance are required so as to ensure the safety of children in our care, and to reduce the risk of an allegation of impropriety against a member of Staff. This guidance applies to all Staff.

2 **Staff / pupil rapport:** the School supports and encourages the establishment and maintenance of positive working relationships between Staff and pupils in order to maintain a healthy school environment. Staff should build good rapport with pupils, whilst at the same time always maintaining professional boundaries by following the guidance in this Code.

3 **Good order and discipline**: Staff in charge or control of pupils must maintain good order and discipline at all times when pupils are present on School premises and whenever pupils are engaged in authorised school activities, whether on School premises or elsewhere.

Meetings with pupils

4 **One-to-one meetings on site**: If you are teaching one pupil, or conducting a one-to-one meeting or teaching session with a pupil, you should take particular care in the following ways:

4.1 when working alone with a pupil is an integral part of your role, discuss with the Designated Safeguarding Lead whether a risk assessment is advised. use a room that has sufficient windows onto a corridor so the occupants can be seen, or keep the door open, or inform a colleague that the lesson / meeting is taking place;

4.2 arrange the meeting during normal school hours when there are plenty of other people about;

4.3 do not continue the meeting for any longer than is necessary to achieve its purpose;

4.4 avoid sitting or standing in close proximity to the pupil, except as necessary to check work;

4.5 avoid using "engaged" or equivalent signs on doors or windows;

4.6 avoid idle discussion;

4.7 avoid all unnecessary physical contact and apologise straight away if there is accidental physical contact;

4.8 avoid any conduct that could be taken as a sexual advance;

4.9 report any incident that causes you concern to the Designated Safeguarding Lead under the School's child protection and safeguarding policy and procedures, and make a written record (signed and dated); and

4.10 report any situation where a pupil becomes distressed or angry to appropriate Head of Lower, Middle or Upper School or another member of the Safeguarding Team.

Contact with pupils outside school

5 **Pre-arranged meetings**: Pre-arranged meetings with pupils outside school should not be permitted unless approval is obtained from their parents, guardians or carers and an appropriate member of the Safeguarding Team or SLT. If you are holding such a meeting, you should inform colleagues before the meeting.

6 **Contact outside school**: You should avoid unnecessary contact with pupils outside School. You should:

6.1 not give pupils your home address, home telephone number, mobile telephone number or email address;

6.2 not send personal communications (such as birthday cards or faith cards, text messages etc) to children unless agreed with the Designated Safeguarding Lead.

6.3 not make arrangements to meet pupils, individually or in groups, outside School other than on School trips authorised by the Deputy Head (Co-Curricular);

6.4 avoid contacting pupils at home unless this is strictly necessary, and you should keep a record of any such occasion;

6.5 not give a pupil a lift in your own vehicle other than on School business and with permission from the Designated Safeguarding Lead;

6.6 avoid inviting pupils (groups or individuals) to your home unless there is a good reason and it has been approved by Designated Safeguarding Lead. This prohibition also applies if you have on site accommodation;

6.7 report and record any situation which may place a child at risk or which may compromise the School's or your professional standing;

6.8 ensure that pupils do not see anything in your home that may cause embarrassment or that might become the subject of inappropriate gossip or rumour; and

6.9 never engage in secretive social contact with pupils or their parents, guardians or carers.

7 **Home visits**: In limited circumstances, home visits may be necessary. You should:

7.1 discuss the purpose of any visit with the Designated Safeguarding Lead and adhere to any agreed work plan / contract;

7.2 follow the risk management strategy and ensure appropriate risk assessments are in place. Where there is insufficient information to complete a risk assessment, ensure that you are accompanied by a colleague;

7.3 not visit unannounced if this can be avoided;

7.4 leave the door open where you will be alone with pupils;

7.5 keep records detailing times of arrival and departure, and work undertaken;

7.6 ensure that any behaviour or situation that gives rise to a concern is reported and actioned;

7.7 discuss with the Designated Safeguarding Lead anything that gives cause for concern in accordance with the School's child protection and safeguarding policy and procedures; and

7.8 have a mobile telephone and an emergency contact.

8 **The use of personal living space**: Pupils must not have access to staff residential accommodation other than in exceptional circumstances. Where this occurs another adult should be present in order to avoid one-to-one situations. It is accepted that children of Staff (whether in School accommodation or not) may at times invite their friends to their homes. In these instances, Staff are reminded to comply with this Code and must ensure that the Designated Safeguarding Lead is informed in advance as soon as possible.

9 **Chores**: Pupils should not be asked to assist with chores or tasks in the personal living space. Personal living spaces should not be used as an additional resource for the School. This also applies to on site Staff accommodation.

10 **Social contact**: You should be aware that where you meet children or parents, guardians or carers socially, such contact could be misinterpreted as inappropriate, an abuse of a position of trust or as grooming. Any social contact that could give rise to concern should be reported to the Designated Safeguarding Lead.

11 **Friendships with parents, guardians or carers and pupils**: Members of Staff who are friends with parents, guardians or carers of pupils or who, for example, are voluntary workers in youth organisations attended by pupils, will of course have contact with those pupils outside school. However, members of Staff should still respect the above advice wherever possible and should keep the Designated Safeguarding Lead informed of such relationships.

12 **Scope of application**: The same guidelines should be applied to after School clubs, School trips, and especially trips that involve an overnight stay away from the School. There are separate, more detailed guidelines for School trips in the educational visits policy. The principles of this guidance also apply to contact with children or young people who are pupils at another school.

Transport, after School activities and educational visits

13 **Transporting pupils**: There may be some situations when Staff are required to transport pupils. You should:

13.1 ensure that you are fit to drive and free from any substances that may impair your judgement or ability to drive;

13.2 be aware that until the pupil is passed over to a parent / carer, you have responsibility for that pupil's health and safety;

13.3 record the details of the journey;

13.4 record, be able to justify impromptu or emergency lifts and notify the Designated Safeguarding Lead;

13.5 Wherever and whenever possible obtain written permission in advance from the pupil's parents;

13.6 ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety, including appropriate insurance, seat belts, adherence to maximum capacity guidelines etc; and

13.7 wherever practicable, you should avoid using private vehicles and should try and have one adult additional to the driver to act as an escort.

14 **After School activities**: When taking part in after School activities, you should:

14.1 be accompanied by another adult unless otherwise agreed with the Deputy Head (Co-Curricular);

14.2 undertake a risk assessment; and

14.3 obtain parental consent.

15 **Educational visits**: When taking part in educational visits, you should:

15.1 follow the School's educational visits policy;

15.2 be accompanied by another adult unless otherwise agreed with the Deputy Head (Co-Curricular);

15.3 undertake a risk assessment; and

15.4 obtain parental consent.

Overnight supervision

16 **Overnight supervision**: Where overnight supervision is required:

16.1 you should ensure that a risk assessment has been undertaken and that all members of the household have had the appropriate checks;

16.2 arrangements should be made with and agreed by parents, guardians or carers and the pupil;

16.3 one to one supervision should be avoided where possible;

16.4 choice, flexibility and contact with "the outside world" should be incorporated, so far as it is consistent with appropriate supervision and the School's guidelines;

16.5 whenever possible, independent oversight of the arrangements should be made; and

16.6 any misinterpretation, misunderstanding or complaint should be reported.

Inappropriate relationships

17 **Sexual contact**: Staff must not:

17.1 have any type of sexual relationship with a pupil or pupils;

17.2 have sexually suggestive or provocative communications with a pupil;

17.3 make sexual remarks to or about a pupil; and

17.4 discuss their own sexual relationships in the presence of pupils.

18 **Abuse of a position of trust and inappropriate relationships with pupils of the School**: Sexual relationships or sexual contact with any pupils, or encouraging a relationship to develop in a way which might lead to a sexual relationship, or any relationship just considered inappropriate with any pupil at the School is a grave breach of trust that will usually lead to disciplinary action and may also lead to criminal prosecution. It is the criminal offence of an abuse of a position of trust to have any sexual relationship with any School pupil under the age of 18, and whilst not a criminal offence, it is a breach of this Code and considered to be gross misconduct to have a sexual relationship with any pupil of this School, even if over the age of 18.

19 **Inappropriate relationships with pupils at another school**: Forming relationships with children or young people who are pupils or students at another school will be a criminal offence if they are under 16 but may also be a criminal offence if under the age of 18 and will be regarded as gross misconduct. Such behaviour tends to bring the School into disrepute and gives rise to concern that the Staff involved cannot be trusted to maintain professional boundaries with pupils and students at the School. Whilst not necessarily a criminal offence, the School considers it inappropriate for Staff to form inappropriate relationships with a pupil of any school, irrespective of their age.

Appendix 4 Communication with pupils (including the use of technology)

1 Communicating with pupils, parents, guardians or carers: All communication with pupils, parents, guardians or carers should conform to School policy and be limited to professional matters. Communication should only be made through School platforms, using School property and/or from official School email addresses/phone numbers, except in an emergency.

2 **Communication with former pupils:** To protect themselves and the School staff should exercise similar caution when communicating with former pupils, especially with recent pupils or with those who were pupils during the staff member's term of employment with the School. To the extent that it is necessary to have contact with former pupils (for example if arranging a careers fair or writing a future reference), staff must use official School platforms and accounts and ensure that communication remains professional at all times. This is supported through the School's alumni programme managed by the Development Office. Using personal social media and email accounts creates risk of allegations about the abuse of power in a former Staff/pupil relationship, or even of a former pupil being groomed. This risk is not time limited and may be alleged at any time. Should any former pupil make personal contact with a member of staff, the Designated Safeguarding Lead should be notified immediately and guidance followed regarding any professional response.

3 **Application**: These rules apply to any form of communication including new technologies (including 3G / 4G/ 5G technologies) such as mobile telephones, web-cameras, social networking websites, online gaming and blogs. You should also ensure you comply with the more detailed IT acceptable use policies including the e-safety policy and social media policy and the Mobile Phones - Use by Staff guidance document.

4 **Dealing with "crushes":** Crushes, fixations or infatuations are part of normal adolescent development. However they need sensitive handling to avoid allegations of exploitation. Such crushes carry a high risk of words, actions and expressions being misinterpreted, therefore, the highest levels of professionalism are required. If you suspect that a pupil or a former pupil has a crush on you or on another colleague you should bring it to the attention of the Designated Safeguarding Lead at the earliest opportunity. Suggestions that a pupil or a former pupil may have developed a crush should be recorded. Staff should avoid being alone with pupils who have developed a crush on them and if the pupil sends personal communications to the member of Staff, this should be reported to the Designated Safeguarding Lead and recorded.

5 **Acceptable use**: Adults must establish safe and responsible online behaviours and must comply with the IT acceptable use policy, social media policy, e-safety policy and the guidance on mobile phone use. Adults should report to senior colleagues any new and emerging technologies which may have a bearing on School practices and on the review of the IT acceptable use policy. Local and national guidelines on acceptable use policies should be followed. Staff should also:

5.1 ensure that their own personal social networking sites are set as private and ensure that pupils are not approved contacts;

5.2 ensure that they do not use any platform, website or application not officially endorsed by the School, whether on a School or personal device, which publicly identifies their location while on School premises or otherwise in the course of their employment;

5.3 never use or access social networking sites of pupils and do not use internet or web-based communication channels to send personal messages to pupils;

5.4 only ever use platforms endorsed by the School through official School accounts;

5.5 only make contact with pupils for professional reasons; and

5.6 recognise that text messaging should only be used as part of an agreed protocol and only when other forms of communication are not possible.

6 **Personal details**: Adults must not give their personal contact details to pupils or former pupils, including email addresses, home or mobile telephone numbers, unless the need to do so is agreed with Designated Safeguarding Lead and parents, guardians or carers. Contact with staff should always be through official School channels and platforms.

7 **Personal mobile telephones and electronic devices**: All staff should be aware of the School's IT Acceptable Use Policy and other relevant policies and guidelines, including the Mobile Phones - Use by Staff document which lays out appropriate use of mobile phones when in School.

8 **Communicating outside the agreed protocols**: Email or text communications between an adult and any pupil or former pupil outside agreed protocols may lead to a report to external agencies in accordance with the School's child protection and safeguarding policy and procedures, disciplinary action and / or criminal investigations. This also includes communications through internet based websites.

9 **Political impartiality**: Staff should not promote partisan political views to pupils, whether as part of the curriculum, in any extra-curricular activity or in general conversation or other interaction inside or outside school. They should not encourage pupils to support or adopt particular political views and must present any political views in a balanced way that ensures opposing views are aired.

10 **Communicating about shared principles that underpin society:** There are some concepts and views that are shared principles that underpin our society, rather than political views. These are often referred to as Fundamental British Values (FBV) and all staff should be aware of the relevant School policies that support the promotion of these throughout the School and every staff member's role in reinforcing them.

11 **Questions about political impartiality:** If any staff member has any doubt about whether a particular topic is a political issue or a shared value, they should seek guidance from their line manager in the first instance.

Appendix 5 Photographs and videos

1 **Permission required**: Staff, including those in the Prep School Early Years, may take photographs and make videos of pupils in the course of their daily work, providing they have previously informed senior management of their intention and their proposals have been accepted. In the case of EYFS, photographs and videos should only be made using school cameras and then must be downloaded to school computers at the earliest opportunity, with the original footage on the device being deleted.

2 **Consent**: Subject to paragraph 6 below, appropriate consents for taking and displaying photographs should be obtained from parents, guardians, carers or from the pupils themselves if sufficiently mature (most pupils are seen as being sufficiently mature from the age of 12 years). Consent must be freely given so it must be a genuine choice. Unless you have been told otherwise, the Senior Master is responsible for obtaining the appropriate consent. As consent can freely be withdrawn, it is good practice at the start of event where photographs or videography are to be taken to check that all participants are content to be in the footage. This would include situation where a lesson to videoed for the purpose of teacher evaluation, where the focus of the lesson is the teacher and pupils would only feature incidentally.

3 Where the use of a photograph or video is less privacy intrusive (e.g. used in an internal display) it is sufficient for parents and pupils to have been informed about this in the School's privacy notices, in which case consent is not required. Please speak to the Senior Master if you have any questions.

4 Some pupils cannot be featured in photographs or videos under any circumstances (for example, because of safeguarding concerns). Please speak to the Senior Master if you are unsure to which pupils this applies.

5 **Guidance where permission obtained**: Where permission and consent (if appropriate) has been obtained, the following should be considered:

5.1 the purpose of the activity should be clear as should what will happen to the photographs or videos. You must be able to justify images in your possession;

5.2 all images should be made available to Senior Master in order to determine acceptability;

5.3 images should not be made during one-to-one situations;

5.4 ensure that the pupil is appropriately dressed;

5.5 ensure that the pupil understands why the images are being taken and has agreed to the activity;

5.6 only use equipment provided or authorised by the School or, , staff must delete all images from any personal storage devices as soon as possible, retaining them for the minimum time necessary.

5.7 if a photograph or video is to be displayed in a place to which the public have access (e.g. on the School's website) it should not display the pupil's name unless specific consent has been obtained. If the use of a photograph or video is more privacy intrusive consent may need to be obtained even if the pupil's name is not used (e.g. using an unnamed photograph of a pupil in an advertisement). Consent should be obtained from the pupil and / or their parents as appropriate. Please see paragraph 6 below for further guidance on consent. In such cases, a form “Use of Images of Pupils by Merchant Taylors’ School” needs to be issued, completed and returned to Senior Master.

5.8 all images of children should be stored securely and centrally on the School's own database only, and only accessed by those authorised to do so; and

5.9 images must not be taken secretively.

6 **Consent**: Children are usually considered mature enough to exercise their own data protection rights when they are aged 12 years or older. Whether consent should be obtained from the parents, the pupil or both will depend on the age of the pupil. The School's policy is that when consent is required it should be obtained as follows:

6.1 where the pupil is in Year 7 or below, consent should be sought from a parent, guardian or carer;

6.2 where the pupil is in Year 8, 9, 10 or 11 then consent should be sought from both the pupil and their parent, guardian or carer;

6.3 where the pupil is in Year 12 or 13 then only the pupil's consent will need to be obtained.

7 **Personal social media**: You must not publish anything which could identify pupils, parents or guardians on any personal social media account, personal webpage or similar platform. This includes photos, videos, or other materials such as pupil work.

8 **Appropriate material**: The School recognises that many children have unlimited and unrestricted access to the internet via 3G, 4G and 5G. You must ensure children are not exposed to inappropriate or indecent images. Viewing, retrieving or downloading of pornographic, terrorist or extremist material, or any other material which the School believes is unsuitable is strictly prohibited and constitutes gross misconduct. This includes at any time when on School premises or otherwise in the course of your employment, including using the School's ICT network, or via 3G,4G or 5G, whether or not on a School or personal device. You should not allow unauthorised access to School equipment and should keep your computer passwords safe. If you discover material that is potentially illegal or inappropriate, you must isolate the equipment and contact the Designated Safeguarding Lead in accordance with the School's child protection and safeguarding policy and procedures immediately. Pupils must not be exposed to unsuitable material on the internet and Staff should ensure that any film or material shown is age appropriate.

9 **Youth produced imagery:** Where safeguarding incidents involve youth produced sexual imagery, staff must not intentionally view or forward sexual imagery reported to them and will follow the School's policy on sharing nudes and semi-nude images and videos as set out in the School's safeguarding and child protection policy and procedures and Searching, screening and confiscation: advice for schools (DfE, July 2022).

Appendix 6 The use of force or physical restraint

1 **Physical restraint**: All forms of corporal punishment are unlawful and the use of unwarranted physical force is likely to constitute a criminal offence. The use of physical intervention should be avoided if possible. There are circumstances when it is appropriate for Staff to use force to safeguard children. This is enshrined in law and applies to any member of Staff at the School. It can also apply to people whom the Head has temporarily put in charge of pupils such as unpaid volunteers or parents accompanying students on a school organised visit.

2 **Application of code of restraint**: It only applies where no other form of control is available and where it is necessary to intervene. The use of force or physical contact may be reasonable and proportionate in the circumstances to prevent a pupil from doing, or continuing to do any of the following:

2.1 committing a criminal offence;

2.2 injuring themselves or others;

2.3 causing damage to property, including their own; or

2.4 engaging in any behaviour prejudicial to good order and discipline at the School or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.

3 **Before intervening**: Before intervening physically you should, wherever practicable, tell the pupil to stop and what will happen if he or she does not. You should continue attempting to communicate with the pupil throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary. You should always avoid touching or holding a pupil in a way that might be considered indecent. You should also avoid any form of aggressive contact such as holding, pushing, pulling or hitting which could amount to a criminal assault, nor act in a way that might reasonably be expected to cause injury.

4 **Inform senior staff**: You should inform the Designated Safeguarding Lead immediately following an incident where force has been used. This is to help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful in the event of a complaint. You should provide a written report as soon as possible afterwards. This should include written and signed accounts of those involved, including the pupil. The parents, guardians or carers of the pupil should be informed about serious incidents involving the use of force. In the EYFS setting, the parents, guardians or carers will be informed about any use of force on the same day or as soon as reasonably practicable. The Designated Safeguarding Lead will advise as to when parents should be contacted.

5 **Action taken in self-defence or in an emergency**: The law allows anyone to defend themselves against an attack provided they do not use more force than is necessary. Similarly, where a pupil is at risk of immediate injury or on the point of inflicting injury on someone else, any member of Staff (whether authorised or not) would be entitled to intervene.

6 **Using reasonable force**: There is no legal definition of "reasonable force". It will always depend on the circumstances. The term "reasonable force" covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. "Reasonable" in these circumstances means "using no more force than is needed". The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom. Note that:

6.1 any use of force should be proportionate to the behaviour of the pupil involved and the seriousness of the harm prevented;

6.2 you should recognise the additional vulnerability of children with SEN, disabilities and certain medical conditions before using reasonable force;

6.3 physical force could not be justified to prevent a pupil from committing a trivial misdemeanour;

6.4 any force should always be the minimum needed to achieve the desired result; and

6.5 whether it is reasonable to use force and the degree of force that could be reasonably employed might also depend on the age, understanding and sex of the pupil.

See also the School's Restraint Policy.

Appendix 7 Physical contact with pupils

You are referred to Appendix 6 and the School's Restraint Policy for specific guidance on the use of force or physical restraint against pupils. The guidance in this Appendix concerns physical contact in other circumstances.

1 **When physical contact may be appropriate**: Physical contact with a pupil may be necessary and beneficial in order to demonstrate a required action, or a correct technique in, for example, singing and other music lessons or during PE, sports and games. Any physical contact should be in response to the pupil's needs, of limited duration and appropriate to the pupil's age, stage of development, gender, ethnicity and background. Physical contact can be easily misinterpreted and should be limited. Staff should use professional judgement.

2 **Guidance on using physical contact**: You should observe the following guidelines (where applicable):

2.1 explain the intended action to the pupil;

2.2 do not proceed with the action if the pupil appears to be apprehensive or reluctant, or if you have other concerns about the pupil's likely reaction;

2.3 ensure the physical contact continues for as short a time as possible;

2.4 ensure that the door is open and if you are in any doubt, ask a colleague or another pupil to be present during the demonstration; and

2.5 consider alternatives if it appears likely that the pupil might misinterpret the contact.

3 **Report concerns**: If you are at all concerned about any instance of physical contact, inform the Designated Safeguarding Lead without delay, and make a written record in the incident book and on the pupil's file if necessary.

4 **Offering comfort to distressed pupils**: Touching may be appropriate where a pupil is in distress and needs comforting. You should use your own professional judgement when you feel a pupil needs this kind of support and should be aware of any special circumstances relating to the pupil. For example, a child who has been abused may find physical contact particularly difficult. You should always notify the Designated Safeguarding Lead when comfort has been offered, record the action and should seek guidance if unsure whether it would be appropriate in a particular case.

5 **Administering first aid**: When administering first aid you should explain to the child what is happening and ensure that another adult is present or is aware of the action being taken. The treatment must meet the School's health and safety at work rules and intimate care guidelines, and parents, guardians or carers should be informed. Staff should:

5.1 adhere to the School's policies on first aid and administering medication;

5.2 comply with the necessary reporting requirements;

5.3 make other adults aware of the task that is being undertaken;

5.4 explain what is happening;

5.5 report and record the administration of first aid;

5.6 have regard to any health plans; and

5.7 ensure that an appropriate health / risk assessment is undertaken prior to undertaking certain activities.

6 **Pupils' entitlement to privacy**: Children are entitled to privacy when changing or showering. However there still must be an appropriate level of supervision to ensure safety. You should:

6.1 avoid physical contact or visually intrusive behaviour when children are undressed;

6.2 announce yourself when entering changing rooms and avoid remaining unless required;

6.3 not shower or change in the same place as children; and

6.4 not assist with any personal care task which a pupil can undertake themselves.

7 • **Intimate care**: Sometimes intimate care is required, for example when assisting with toileting or removing wet clothes. You should:

7.1 comply with the School's intimate care guidelines;

7.2 advise other Staff of the task being undertaken and consult where there is any change from the agreed procedure. A record should be kept of the justification for any variations and this information should be shared with parents, guardians or carers;

7.3 explain to the child what is happening;

7.4 comply with applicable professional codes of practice, as appropriate; and

7.5 comply with regularly reviewed, formally agreed plans, as appropriate.

8 **Where a child has been abused**: Where a child has previously been abused, Staff should be informed on a "need to know" basis, and should be extra cautious when considering the necessity of physical contact. Some children may seek inappropriate physical contact. Staff should sensitively deter the pupil and help them understand the importance of personal boundaries. Such incidents should be reported and discussed with the Designated Safeguarding Lead and where appropriate parents, guardians or carers.

9 **Children with special educational needs or disabilities**: Some children may need more physical contact to assist their everyday learning, which should be agreed and understood by all concerned, justified, openly applied and open to scrutiny. The Head of Learning Support will establish whether any reasonable adjustments are required for such pupils.

Appendix 8 Reporting obligations

1 **The School's position:** It is a contractual requirement as well as in your interests to follow the Code of Conduct so as to maintain appropriate standards of behaviour and your own professional reputation. A breach of this Code may be treated as misconduct and will render you liable to disciplinary action including in serious cases, dismissal.

2 **Termination of employment**: If the School ceases to use the services of a member of Staff because they are unsuitable to work with children, a settlement agreement (formerly known as a compromise agreement) will not be used and a referral to the Disclosure and Barring Service will be made promptly if the criteria for a referral are met. Any such incidents will be followed by a review of the safeguarding procedures within the School, with a report being presented to the Governors without delay. The School may also need to consider a referral to the Disclosure and Barring Service if a member of Staff is suspended, or deployed to another area of work that is not regulated activity.

3 **Resignation**: If a member of Staff tenders his or her resignation, or ceases to provide his or her services to the School at a time when child protection concerns exist in relation to that person, those concerns will still be investigated in full by the School and a referral to the Disclosure and Barring Service will be made promptly if the criteria for a referral are met.

4 **Teaching Regulation Agency (TRA):** Separate consideration will also be given to making a referral to the TRA where a teacher has been dismissed (or would have been dismissed had he or she not resigned) because of unacceptable professional conduct, conduct that may bring the profession into disrepute, or a conviction at any time for a relevant offence. An interim referral to the TRA may also be considered and made if appropriate.