



## BROCKHURST & MARLSTON HOUSE SCHOOLS

Including all of the Pre-Prep Department and Early Years Foundation Stage

### CODE OF CONDUCT FOR STAFF

Brockhurst & Marlston House Schools (the School) is committed to providing the best possible care and education to its pupils, and to safeguarding and promoting the welfare of children and young people. This policy is written with that commitment in mind, and in accordance with KCSIE September 2025.

Reviewed: September 2025

Next Review: September 2026

- Appendix 1 Staff in boarding houses
- Appendix 2 Whistleblowing procedures
- Appendix 3 Staff Acceptable Use of Technologies

#### Purpose and application

**Purpose:** Relationships with fellow Staff, employees, directors, contractors, visitors, volunteers, pupils and their parents, guardians or carers should be reasonable and mutually respectful at all times. This Code has been formulated in order to maintain this balance. This Code has regard to the School's Child Protection and Safeguarding Policy and Procedures and the following (collectively referred to in this Code as the **Guidance**):

- *Keeping children safe in education (KCSIE):*
- KCSIE incorporates the additional statutory guidance, *Disqualification under the Childcare Act 2006*;
- KCSIE also refers to the non-statutory advice for practitioners: *What to do if you're worried a child is being abused*.
- *Working together to safeguard children (WT):*
- WT refers to the non-statutory advice: *Information sharing*.
- [Guidance for safer working practice \(February 2022\)](#)

#### The purpose of the Code is to:

- confirm and reinforce the professional responsibilities of all Staff;
- clarify the legal position in relation to sensitive aspects of Staff / pupil relationships and communication including the use of social media;
- set out the expectations of standards and behaviour to be maintained within the School; and
- to help adults establish safe practices and reduce the risk of false accusations or improper conduct.



## Our Low-Level Concern Policy

- The overarching aim of the school's Low-Level Concern Policy is to facilitate a culture in which the values and expected behaviours which are set out in our Code of Conduct are lived, constantly monitored, and reinforced by all staff. In particular, the intention of this policy is to:
- maintain a culture of openness, trust and transparency in which staff are confident and clear about behaviours expected of them and their colleagues, the delineation of boundaries and reporting lines;
- ensure staff feel empowered to raise any low-level concern, whether about their own or a colleague's behaviour, where that behaviour might be construed as falling short of the standards set out in our Code of Conduct; and Safeguarding and Child Protection Policy; and
- provide for responsive, sensitive and proportionate handling of such concerns when they are raised – maintaining on the one hand confidence that concerns when raised will be handled promptly and effectively whilst, on the other hand, protecting staff from false allegations or misunderstandings.

### What is a Low-Level Concern?

- A low-level concern for this purpose is any concern, no matter how small and even if no more than a 'nagging doubt', that an adult may have acted in a manner inconsistent with the school's Code of Conduct or simply – even if not linked to a particular act or omission – a sense of unease as to the adult's behaviour particularly towards or around children. Low-level concerns include where an adult may have acted in a way that:
- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO

### Low-Level Concerns about self (self-reporting)

- From time to time an individual may find him/herself in a situation which might appear compromising to others or which could be misconstrued. Equally, an individual may for whatever reason have behaved in a manner which on reflection s/he considers falls below the standard set out in the Code of Conduct.
- Self-reporting in these circumstances is encouraged as it demonstrates both awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived. As such, the school sees self-reporting of low-level concerns as an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

From time to time an individual may notice behaviour or actions in other adults which leave them concerned. These are behaviour or actions which fall short of a formal allegation of abuse. These tend to be behaviours which indicate that our Code of Conduct has not been met. Any such concerns can be dealt with as a low-level concern.

### What should I do if I have one?

Where a low-level concern exists it should be reported to the DSL or to the Head teacher as soon as reasonably possible and, in any event, within 24 hours of becoming aware of it (where the concern relates to a particular incident).

### How will my low-level concern be handled?



The DSL will discuss all low level concerns s/he receives with the Head teacher as soon as possible and in any event within 24 hours of becoming aware of it. The Head teacher will, in the first instance, satisfy him/herself that it is a low-level concern and should not be reclassified as an allegation and dealt with under the appropriate procedure. The circumstances in which a low-level concern might be reclassified as an allegation are where:

- the threshold is met for an allegation;
- there is a pattern of low-level concerns which collectively amount to an allegation; or
- there is other information which when taken into account leads to an allegation

Where the Head teacher is in any doubt whatsoever, advice will be sought from the LADO.

Having established that the concern is low-level, the DSL or Head teacher as appropriate will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. Most low-level concerns by their very nature are likely to be minor and will be dealt with by means of management guidance, training etc.

### **What records will be kept?**

Where a low-level concern has been communicated, a confidential record will be kept in a central record which logs all low-level concerns. This is necessary to enable any patterns of concerning behaviour to be identified. However, no record will be made of the concern on the individual's personnel file (and no mention made in job references) unless either:

- the concern (or group of concerns) has been reclassified as an allegation as above; or
- the concern (or group of concerns) is sufficiently serious to result in formal action under the school's grievance, capability or disciplinary procedure

### **Learning Lessons**

Throughout the process in handling low level concerns or allegations (whether or not substantiated). The Heads with the DSL and DDSL should review the circumstances of the case to determine whether there are any improvements to be made to the school's procedures to help prevent similar events in the future.

**Application:** The Code of Conduct (**Code**) applies to all Staff working at Brockhurst and Marlston House (the **School**), whether paid or unpaid, whatever their position, role or responsibilities and **Staff** includes employees, directors, contractors, peripatetic, work experience/placement students and volunteers.

### **Your 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.

### **Wrongdoing:**

All staff are required to report their own wrongdoing, or any wrongdoing or proposed wrongdoing of any other member of staff to the Head.

### **Application with other policies:**



The Code should be read in conjunction with the School's Child Protection and Safeguarding Policy and Procedures.

## Guiding principles

### Principles for all Staff

- All Staff should put the wellbeing, development and progress of all pupils first by:
- taking all reasonable steps to ensure the safety and wellbeing of pupils under their supervision;
- using professional expertise and judgement for the best interests of pupils in their care;
- demonstrating self-awareness and taking responsibility for their own actions and for providing help and support to pupils;
- 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;
- being familiar with the School's Child Protection and Safeguarding Policy and Procedures;
- knowing the role, identity and contact details of the current Designated Safeguarding Lead (DSL) and their Deputy; and
- 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.

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

- acting appropriately and in accordance with this Code of Conduct, towards all pupils, parents, guardians or carers and colleagues;
- complying with the School's Prevention of Bullying, Equal Opportunities and this Code of Conduct;
- addressing issues of discrimination and bullying whenever they arise; and
- helping to create a fair and inclusive School environment.

All Staff should work as part of a unified Staff body by:

- developing productive and supportive relationships with colleagues;
- exercising any management responsibilities in a respectful, inclusive and fair manner;
- complying with all School policies and procedures;
- participating in the School's development and improvement activities;
- recognising the role of the School in the life of the local community;
- upholding the School's reputation and standing within the local community and building trust and confidence in it.

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:

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

And,



Teachers must report to the police cases where they discover that an act of female genital mutilation appears to have been carried out. Unless the teacher has a good reason not to, they should still consider and discuss any such case with the Designated Safeguarding Lead and involve children's social care as appropriate. It will be rare for teachers to see visual evidence, and they should not be examining pupils.

### **Additional principles for teachers**

- Teachers should take responsibility for maintaining the quality of their teaching practice by:
- meeting the professional standards for teaching applicable to their role and position within the School;
- reflecting on their current practice and seeking out opportunities to develop knowledge, understanding and skills;
- helping pupils to become confident and successful learners; and
- establishing productive relationships with parents, guardians or carers by:
- providing accessible and accurate information about their child's progress;
- involving them in important decisions about their child's education; and
- complying with this Code.

### **Teachers should maintain public trust and confidence in the School by:**

- demonstrating honesty and integrity;
- understanding and upholding their duty to safeguard the welfare of children and young people;
- maintaining reasonable standards of behaviour whether inside or outside of normal School hours and whether on or off the School's site; and
- Staff conduct and performance must never be adversely impacted by alcohol or drugs when undertaking their duties. Staff are never permitted to consume alcohol whilst on duty with responsibility for pupils. Consumption of alcohol is not permitted on site except with the express permission of the Headmaster at school functions. Whilst on site or at school organised events where the consumption of alcohol is permitted staff should only drink in moderation.
- Whilst attending any school event, either onsite or at an external venue, Staff are reminded of their responsibilities as education professionals, to the care and welfare of themselves and colleagues, and to members of the wider community, and of any reputational damage to the school. The school does not accept liability for any harm caused by a staff member who is impaired by alcohol or drugs. Any damage or harm caused to persons, property or reputation, including road traffic offences, is the responsibility of the individual and not the school. Staff to be aware that such conduct may result in disciplinary action, up to and including dismissal. Resident Staff may consume modest quantities of alcohol in private accommodation. Illegal drugs are prohibited on site.
- maintaining an effective learning environment.

### **Guidance on Staff / pupil relationships**

#### **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.

**Sexual contact:** Staff must not:



- have any type of sexual relationship with a pupil or pupils;
- have sexually suggestive or provocative communications with a pupil;
- make sexual remarks to or about a pupil; and
- discuss their own sexual relationships in the presence of pupils.

### **Abuse of a position of trust and Inappropriate relationships with School pupils:**

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.

### **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.

### **General guidance: .**

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

- need to exercise professional judgement but always act within the spirit of these guidelines. If you are involved in a situation where no specific guidance exists, you should discuss the circumstances with the Designated Safeguarding Lead. A written record should be kept that includes justification for any action taken;
- must be familiar with procedures for handling allegations against Staff as set out in the School's Child Protection and Safeguarding Policy and Whistleblowing Procedures (see Appendix 2)
- must seek guidance from the Designated Safeguarding Lead if you are in any doubt about appropriate conduct; and
- 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.

### **Behaviour giving particular cause for concern:**

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

- appears to be emotionally distressed, or generally vulnerable and / or who is seeking expressions of affection;
- appears to hold a grudge against you;
- 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
- may have reason to make up an allegation to cover the fact that he or she has not worked hard enough for public examinations.

### **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.

### **Record keeping:**

Comprehensive records are essential. Any incident involving children that could give cause for concern, must be recorded and reported promptly to the Designated Safeguarding Lead in accordance with the School's Child Protection and Safeguarding Policy and Procedures.

### **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.

### **General conduct**

**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.

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

**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. Such concerns will be given careful consideration as to whether they constitute a potential risk to children at the School.

### **Meetings with pupils**

**One-to-one meetings:** 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:

- when working alone with a pupil is an integral part of your role, conduct and agree full risk assessments with the DSL;
- 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;
- arrange the meeting during normal school hours when there are plenty of other people about;
- do not continue the meeting for any longer than is necessary to achieve its purpose;
- avoid sitting or standing in close proximity to the pupil, except as necessary to check work;
- avoid using "engaged" or equivalent signs on doors or windows;
- avoid idle discussion;
- avoid all unnecessary physical contact and apologise straight away if there is accidental physical contact;
- avoid any conduct that could be taken as a sexual advance;
- 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
- report any situation where a pupil becomes distressed or angry to the DSL

### **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 the DSL. If you are holding such a meeting, you should inform colleagues before the meeting.



**Home visits:** In some circumstances home visits are necessary. You should:

- discuss the purpose of any visit with the DSL and adhere to any agreed work plan / contract;
- 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;
- not visit unannounced if this can be avoided;
- leave the door open where you will be alone with pupils;
- keep records detailing times of arrival and departure, and work undertaken;
- ensure that any behaviour or situation that gives rise to a concern is reported and actioned;
- 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
- have a mobile telephone and an emergency contact.

### **The use of personal living space:**

Pupils should not be in or invited into the personal living space of any member of Staff, unless agreed with the parents, guardians or carers and the DSL. 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.

### **Language and appearance**

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

- 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.);
- avoid any form of aggressive or threatening words;
- avoid any words or actions that are over-familiar;
- not swear, blaspheme or use any sort of offensive language in front of pupils;
- 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
- 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.

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

### **The use of force or physical restraint**

#### **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.

However, by law, Staff who are authorised by the Head to have control or charge of pupils, may use such force or physical contact as is reasonable and proportionate in the circumstances to prevent a pupil from doing, or continuing to do any of the following:

- committing a criminal offence;



- injuring themselves or others;
- causing damage to property, including their own; or
- 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.

**Application of code of restraint:** This applies when a teacher, or other authorised person, is on School premises and when he or she is in control or in charge of the pupil elsewhere, for example on a field trip or other authorised out of school activity. It only applies where no other form of control is available and where it is necessary to intervene.

**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.

**Inform senior staff:** You should inform the Head 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 Head will advise as to when parents should be contacted.

**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.

**Using reasonable force:** There is no legal definition of "reasonable force". It will always depend on the circumstances. Note that:

- any use of force should be proportionate to the behaviour of the pupil involved and the seriousness of the harm prevented;
- physical force could not be justified to prevent a pupil from committing a trivial misdemeanour;
- any force should always be the minimum needed to achieve the desired result; and
- 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.

### **Physical contact in other circumstances**

**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, performing arts 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.

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



- explain the intended action to the pupil;
- 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;
- 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
- consider alternatives if it appears likely that the pupil might misinterpret the contact.

**Report concerns:** If you are at all concerned about any instance of physical contact, inform the DSL without delay, who will make a written record on the general safeguarding incident log and on the pupil's file if necessary.

**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 DSL when comfort has been offered, record the action and should seek guidance if unsure whether it would be appropriate in a particular case.

**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:

- adhere to the School's policies on first aid and administering medication;
- comply with the necessary reporting requirements;
- make other adults aware of the task that is being undertaken;
- explain what is happening;
- report and record the administration of first aid;
- have regard to any health plans; and
- ensure that an appropriate health / risk assessment is undertaken prior to undertaking certain activities.

**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:

- avoid physical contact or visually intrusive behaviour when children are undressed;
- announce yourself when entering changing rooms and avoid remaining unless required;
- not shower or change in the same place as children; and
- not assist with any personal care task which a pupil can undertake themselves.

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

- comply with the School's intimate care guidelines;
- 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;
- explain to the child what is happening;
- comply with applicable professional codes of practice, as appropriate; and
- comply with regularly reviewed, formally agreed plans, as appropriate.

### **Intimate Care Guidelines**



We aim to meet all the needs of our children and promote their welfare. We recognise and assist children with intimate care where needed, and ensure that the children are treated with courtesy, dignity, and respect at all times. Intimate care is defined as care involving washing, touching or carrying out a procedure to intimate personal areas which some children may need support in doing because of their young age, physical difficulties or other special needs. Where a child has intimate care needs, a designated member of staff takes responsibility to provide their care. We address issues on an individual basis. Due to the developmental stages of the children that we work with, we support them with their personal care: reminding the children to go to the toilet, hygiene etc. to develop their independence.

(see EYFS Handbook for further guidance)

### **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 parents, guardians or carers where appropriate.

### **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 Designated Safeguarding Lead and SENCO will establish whether any reasonable adjustments are required for such pupils.

### **Code of conduct for contact outside school**

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

- not give pupils your home address, home telephone number, mobile telephone number or email address;
- not send personal communications (such as birthday cards or faith cards, text messages etc.) to children unless agreed with the DSL;
- not make arrangements to meet pupils, individually or in groups, outside school other than on school trips authorised by the DSL;
- avoid contacting pupils at home unless this is strictly necessary, and you should keep a record of any such occasion;
- not give a pupil a lift in your own vehicle other than on School business and with permission from the DSL;
- avoid inviting pupils (groups or individuals) to your home unless there is a good reason and it has been approved by DSL. This prohibition also applies if you have on site accommodation;
- report and record any situation which may place a child at risk or which may compromise the School's or your professional standing;
- 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
- never engage in secretive social contact with pupils or their parents, guardians or carers.

**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 DSL.



**Scope of application of code on contact outside school:** 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 Trips Policy. The principles of this guidance also apply to contact with children or young people who are pupils at another school.

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

- ensure that you are fit to drive and free from any substances that may impair your judgement or ability to drive;
- be aware that until the pupil is passed over to a parent / carer, you have responsibility for that pupil's health and safety;
- record the details of the journey in the Car Log – further guidance in the staff section online;
- record, be able to justify impromptu or emergency lifts and notify the DSL;
- 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

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

- follow the Trips Policy;
- be accompanied by another adult unless otherwise agreed with the DSL;
- undertake a risk assessment;
- obtain parental consent; and
- never share bedrooms unless in a dormitory situation and arrangements have been discussed and agreed previously with the DSL and where appropriate parents, guardians or carers and pupils.

### **Communication with pupils**

#### **Communicating with children and parents, guardians or carers:**

All communication with children or parents, guardians or carers should conform to School policy and be limited to professional matters. All emails between staff and pupils should be copied to the DSL/Deputy DSL. Staff are expected to reply to parents' emails during term within twenty-four hours and to have an out of office response on their account during the holidays. SLT members are expected to respond to urgent emails (appropriately marked as such) from other members of the SLT during all half term breaks and in the first and last week of the summer holiday.

**Acceptable use of technologies:** See Policy – Appendix 3

**Personal details:** Adults should not give their personal contact details to pupils, including email addresses, home or mobile telephone numbers, unless the need to do so is agreed with the DSL.

**Communicating outside the agreed protocols:** Email or text communications between an adult and any 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.

#### **Code of conduct for photographs and videos**

**Permission required:** School cameras are available. However, members of staff using their own personal devices must seek permission from the DSL. Staff must sign to say that they understand the



protocol for passing the images over to the webmaster and removing the images from their own personal device as soon as practically possible.

Please note: in the EYFS setting mobile phones may not be used.

Although the statutory guidance from ISI states that the Safeguarding policy should also contain: “the policy on use of mobile phones and cameras. This does not equate to a requirement to ban their use, but entails recognising and managing the risks by a means appropriate to the setting.” In the EYFS setting mobile phones may not be used. This includes other devices with internet connectivity capabilities (e.g. tablets, etc.). Staff must adhere to the instructions in the Staff Code of Conduct regarding the code of conduct for cameras and personal devices.

Appropriate consents for taking and displaying photographs should be obtained from parents, guardians or carers where appropriate.

The School expects staff to adhere strictly to these principles and to use their own phones and electronic devices in accordance with this policy and in adherence to the schools Safeguarding Policy and KCSIE.

**Guidance where permission obtained:** Where permission has been obtained, the following should be considered:

- 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;
- all images should be made available in order to determine acceptability;
- images should not be made during one-to-one situations;
- ensure that the pupil is appropriately dressed;
- ensure that the pupil understands why the images are being taken and has agreed to the activity;
- if an image is to be displayed in a place to which the public have access it should not display the pupil's name. Similarly where a pupil is named (in a school prospectus, for example) the name should not be accompanied by a photograph or video;
- all images of children should be stored securely and only accessed by those authorised to do so; and
- images must not be taken secretly.

**Appropriate material:** You must ensure children are not exposed to inappropriate or indecent images. Inappropriate material, such as pornography, should not be brought to work and you must not use School property or the School network to access such material. 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 under 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.

### **Gifts and rewards**

**If a gift is received:** If you receive a gift from a pupil or parent you should:

declare the gift where there is a possibility it could be misconstrued or if the staff member feels it could be inappropriate for any reason. The Head may in their absolute discretion require you to decline the gift; and



decline outright gifts that could be perceived as a bribe or that have created an expectation of preferential treatment. Although it is accepted for parents, guardians or carers or children to make small gifts to show appreciation, you must not receive gifts on a regular basis or receive anything of significant value.

**Giving gifts and rewards:** Where you are thinking of giving a gift or reward and with the DSL's knowledge:

- it should only be provided as part of an agreed reward system, and only when given to a whole group or whole class. Staff should not give individual gifts to individual pupils, and this includes food items (sweets/biscuits), unless nominated through their Head of Department. Staff should let their Head of Department know they wish to nominate a child and then leave the gift with the Head of Department to be passed on to the child on their behalf.
- in all cases except the above, the gift or reward should be of little monetary value and should be discussed and agreed with the DSL and where appropriate the parent, guardian or carer;
- selection processes should be fair and where possible should be agreed by more than one member of Staff; and
- gifts should be given openly and not based on favouritism.

### **Childcare Disqualification**

**Offence:** The Childcare Act 2006 (**Act**) and the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 (**Regulations**) and the related DfE statutory guidance, Disqualification Under the Childcare Act 2006 (**DUCA**) state that it is an offence for the School to employ anyone to provide childcare in connection with our early years provision (**EYP**) or later years provision (**LYP**) who is disqualified, or for a disqualified person to be directly involved in the management of EYP or LYP (a **Relevant Role**).

**EYP** includes usual school activities and any other supervised activity for a "young child" which takes place on the school premises during or outside of the normal school day (a child is a "young child" during the period between birth and up to 1 September following their fifth birthday).

**LYP** includes provision for children not in EYP and under the age of 8 which takes place on school premises outside of the normal school day, including, for example breakfast clubs, after school clubs and holiday clubs. It does not include extended school hours for co-curricular activities such as sports activities.

"**Childcare**" means any form of care for a child, which includes education and any other supervised activity for a "young child". "Childcare" in LYP does not include education during school hours but does cover before and after school clubs.

**Grounds for disqualification:** The grounds on which a person will be disqualified from working in connection with EYP or LYP are set out in the Safer Recruitment Policy. Staff are required to familiarise themselves with this document.

**Duty of disclosure:** Staff in a Relevant Role are under an on-going duty to immediately notify the School if their circumstances change so that they meet any of the criteria for disqualification at any point during their employment with the School. Any failure to disclose relevant information will be treated as a serious disciplinary matter.



**Ofsted:** Where the School receives disqualification information about a member of staff working in a Relevant Role and is satisfied that the member of staff may be disqualified as a consequence, the School is under a duty to report the circumstances of the disqualification to Ofsted.

**Waiver:** A member of staff who discloses information which appears to disqualify them from working in a Relevant Role may apply to Ofsted for a waiver of the disqualification.

### **Reporting Obligations**

**The School's position:** It is a contractual requirement as well as in your interests to follow this Code 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.

**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 as soon as possible 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 Head, who is also the Director with responsibility for safeguarding, without delay.

**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 will be made to the Disclosure and Barring Service as soon as possible if the criteria for a referral are met.

**Teacher Regulation Agency:** Where a teacher has been dismissed, or would have been dismissed had they not resigned, separate consideration will be given as to whether a referral to the TRA should be made.



## Appendix 1

### Staff in Boarding Houses

It is important that all resident staff are aware of and abide by the guidelines as set out in the Job Description for the respective positions held as residents within the boarding house. This additional material is written from a Child Protection point of view and should be understood as complementing the Staff Code of Conduct. Houses cannot run without you, and these thoughts are as much to protect you as they are to highlight proper conduct in line with good practice in Child Protection.

The primary provider for the duty of care of each child rests with the Head of Boarding and thus all activities and interaction with pupils in the boarding context must be in line with his/her ethos, which, in turn, upholds the School's requirements. There should be no confusion as to the role held by each resident.

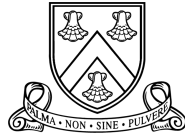
#### **'To be friendly, but not a friend'**

This is a simple rule of thumb. No matter the age of a pupil, we maintain a deeply caring but professional approach. For various reasons, a pupil of any age may begin to seek to form a strong emotional attachment to a teacher, and the occasions for this can be even more problematic with residential staff. We must always ensure that the time we invest in the pupil is for their benefit and not our own.

In short, pupils are always pupils; they do not fulfil our needs for friendship, companionship, professional reassurance or emotional fulfilment. If you were to find that this was the case, then you must seek advice immediately from the DSL or his Deputy.

As points of reference on good practice within the house, the following simple thoughts help to illustrate the relationship the School wishes to foster and that which it rules as inappropriate.

- Be friendly, but not a 'friend'.
- Pupils should feel that a problem they have will be dealt with professionally, so be professionally approachable – not just on official duty nights, but around school and house.
- Be clear of your commitments and responsibilities.
- Social hosting should be done by the Head of Boarding or the Assistant Heads of Boarding – please assist, where asked as a second adult always needs to be present at such functions.
- Other residential staff should never entertain pupils in their own accommodation. All meetings should take place in a public space within the house, e.g. boarders' common room, the Boarding House Study. Very occasionally residential staff will be asked to open their homes for special events, such as Masterchef, when senior staff will oversee and supervise at all times.
- Do not allow pupils to believe it is appropriate for them to enter your accommodation.
- Be careful of dress – because you live in the same building, it can be tempting sometimes to dress very informally. If you are called in the middle of the night to assist with an emergency, please ensure you are suitably attired.
- Ensure pupils are dressed appropriately at all times, particularly in the presence of adults.



- Particular care must be taken when overseeing bedtime or dealing with an issue in communal changing rooms or shower areas. Always knock and make your presence known before entering a pupil's personal space and leave the door open.
- Take appropriate time to chat with individuals when on duty but avoid any prolonged time in an individual study. Extended meetings should happen in public areas.
- Always delete photos of school pupils and school activities from personal devices as soon as you have passed any relevant images to the website manager.
- Avoid any behaviour that could be interpreted as 'favouritism' – all pupils should be treated equally.

## Appendix 2

### Whistleblowing Procedures

#### Introduction

The School is committed to conducting its business with honesty and integrity, and expects all staff to maintain high standards in accordance with their contractual obligations and the School's policies and procedures. We have a culture of safety and raising concerns. We have a culture of valuing staff and of reflecting on practice.

However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

This procedure is not a substitute for normal line management processes but an addition to them. Staff should always first consider using normal line management for raising concerns. This procedure is only for the purpose of raising concerns about wrongdoing and is not a substitute or alternative for existing procedures such as the Grievance, Disciplinary Procedures for staff or the complaints procedure.

This procedure should only be used where all other existing internal procedures are felt to be inappropriate or when a member of staff, for whatever reason, feels inhibited in going through the normal line management. As an example, therefore, if a member of staff has a personal grievance then it must be raised through the grievance procedure; it would not be appropriate for it to be raised through this procedure. The existence of this procedure does not prevent staff from raising concerns through their trade union if they so wish. The procedure is therefore not a route through which employees can raise concerns about mismanagement which may arise from weak management rather than malpractice.

Staff should note that nothing within the Whistle blowing Procedure should preclude (or give the impression of precluding) a member of staff from raising concerns in accordance with Keeping Children Safe in Education or the School's Child Protection and Safeguarding policy.

#### **What is whistleblowing?**

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity;



- child protection and/or safeguarding concerns; See note at the end of this policy
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- failure to comply with any legal or professional obligation or regulatory requirements;
- financial fraud or mismanagement;
- negligence;
- breach of the school's internal policies and procedures including its Code of Conduct;
- conduct likely to damage the School's reputation;
- Poor or unsafe practice;
- unauthorised disclosure of confidential information;
- the deliberate concealment of any of the above matters.

A 'whistleblower' is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the School's activities (a whistleblowing concern) you should report it under this policy.

This policy should not be used for complaints relating to Staff's own personal circumstances, such as the way you have been treated at work. In those cases you should follow the Grievance Policy and Procedure.

If Staff are uncertain whether something is within the scope of this policy they should seek advice from the Head teacher, but if the matter is in relation to an alleged wrongdoing by the Head teacher then Staff should seek the advice of the designated member of the Oversight Advisory Governor, Wanda Leatherdale ([w.leatherdale@brockmarl.org](mailto:w.leatherdale@brockmarl.org))

### **Aims**

To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;

There will be transparency and accountability on how concerns are received and handled.

To provide staff with guidance as to how to raise those concerns;

To reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be a mistake.

This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work.

This policy does not form part of an employee's contract of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the School and the School reserves the right to amend its content at any time.

This Policy reflects the School's current practices and applies to all individuals working at all levels of the organisation, including members of the Senior Leadership Team, employees, consultants, contractors, trainees, part-time and fixed-term workers, casual and agency staff (collectively referred to as "Staff" in this policy) who are advised to familiarise themselves with its content.

### **Raising a whistleblowing concern**



The School hopes that in many cases Staff will be able to raise any concerns with their Line Manager, speaking to them in person or putting the matter in writing if they prefer. They may be able to agree on a way of resolving a concern quickly and effectively. In some cases they may refer the matter to the Oversight Advisory Governor.

However, where the matter is more serious, or you feel that your Line Manager has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- The Head teacher
- The member of the Oversight Advisory Governors with responsibility for Whistleblowing matters – Wanda Leatherdale

The Head teacher will arrange a meeting with the ‘whistleblower’ as soon as practicable to discuss their concern. They will record sufficient details to enable the matter to be thoroughly investigated. As a minimum the Head teacher will record the name of the employee but also indicate whether the individual wishes his or her identity to remain confidential, if possible and the nature of the concern. In some cases it will not be possible to maintain confidentiality and the Head teacher should explain this to the employee. In such instances the employee will have the choice of either withdrawing or agreeing to his/her identity becoming known to enable the concern to be effectively dealt with.

Staff may bring a colleague or trade union representative to any meetings under this policy who must respect the confidentiality of the disclosure and any subsequent investigation.

The School will take notes and produce a written summary of the concern raised and provide the ‘whistleblower’ with a copy as soon as practicable after the meeting. The School will also aim to give the ‘whistleblower’ an indication of how it proposes to deal with the matter.

### **Confidentiality**

The School hopes that Staff will feel able to voice whistleblowing concerns openly under this policy. However, if a member of staff wants to raise his or her concern confidentially, the School will endeavour to keep his or her identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating that member of staff’s concern to know the ‘whistleblower’s identity, the School will discuss this with the member of staff first.

The School does not encourage Staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the School cannot obtain further information. It is also more difficult to establish whether any allegations are credible and have been made in good faith. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above and appropriate measures can then be taken to preserve confidentiality.

If an individual misuses the policy and procedure e.g. by making malicious or repeated unsubstantiated complaints against colleagues this could give rise to action under the School’s Disciplinary Procedure.

If you are in any doubt you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

- Public Concern at Work (Independent whistle blowing charity)
- Helpline: 020 7404 6609 E-mail: [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk) Website: [www.pcaw.co.uk](http://www.pcaw.co.uk)



- The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. **Staff can call: 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).**

### **External disclosures**

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases Staff should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for Staff to report their concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

Whistleblowing concerns usually relate to the conduct of School Staff, but they may sometimes relate to the actions of a third party, such as a service provider. The law allows Staff to raise a concern in good faith with a third party, where the member of staff reasonably believes it relates mainly to their actions or something that is legally their responsibility. However, Staff are encouraged to report such concerns internally first. Staff should contact one of the other individuals set out above for guidance.

### **Investigation and outcome**

Staff should note that nothing within the Whistle blowing Policy should preclude (or give the impression of precluding) a member of staff from raising concerns in accordance with Keeping Children Safe in Education or the School's Child Protection and Safeguarding policy.

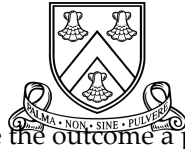
Once a member of Staff has raised a concern, the School will carry out an initial assessment to determine the scope of any investigation. The School will inform the 'whistleblower' of the outcome of its assessment. The member of staff raising the concern may be required to attend additional meetings in order to provide further information.

The School will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the School from giving specific details of the investigation or any disciplinary action taken as a result. The member of staff is required to treat any information about the investigation as strictly confidential. The School aims to encourage openness and will support 'whistleblowers' who raise genuine concerns under this policy, even if they turn out to be mistaken.

'Whistleblowers' must not suffer any detrimental treatment as a result of raising a genuine concern. If you believe that you have suffered any such treatment, you should inform the Head teacher or the relevant member of the Oversight Advisory Panel immediately.

You must not threaten or retaliate against 'whistleblowers' in any way. If you are involved in such conduct you may be subject to disciplinary action.

If the School concludes that a 'whistleblower' has made false allegations maliciously, in bad faith or with a view to personal gain, the 'whistleblower' will be subject to disciplinary action under the School's Disciplinary Policy and Procedure.



Whilst the School cannot always guarantee the outcome a particular member of staff is seeking, the School will try to deal with the concern fairly and in an appropriate way. If a member of staff is not happy with the way in which his or her concern has been handled, he or she can raise it with one of the other key contacts outlined above.

## Appendix 3

### Acceptable use of Technologies - Staff

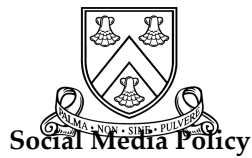
We use the school computers and Internet connection for learning.

These rules will help us to be fair to others and keep everyone safe.

- Staff will not use a mobile phone in the EYFS setting. In the EYFS setting mobile phones may **not** be used. This includes other devices with internet connectivity capabilities (e.g. tablets, etc.).
- Staff will report any inappropriate websites to the Head of ICT unless it is a Safeguarding issue and in that case I will follow the school's Safeguarding policy.
- Staff will use only their own login.
- Staff will understand that the school can monitor my computer behaviour and emails.
- Staff will be vigilant when searching for images and asking pupils to search for images.
- Staff will always protect the online reputation of the school and act in a digitally professional manner.
- Staff will never attempt to bypass security features or filtering software on the network.
- Staff will understand that all files and emails on the system are the property of the school. As such, system administrators have the right to access them if required.
- Staff will only use their personal @brockmarl.org email system for school communication.
- Staff will create a secure password for their logons to Hubmis and MyConcern.
- Staff will understand that failure to comply with this ICT Code of Conduct may lead to disciplinary action.

Staff understand that all electronic files and communications are the property of the school. Staff may not delete emails or files at any time without the express permission of the Heads. This includes any time during a person being employed by the school, during their notice period to leave the school, or once they have left should access be left open for a period of time for any reason. Staff are permitted to delete emails from their inbox, but absolutely must not double delete (delete from deleted).

The school monitors the use of the school's computer systems, including the monitoring of web-sites, the interception of E-mail and the deletion of inappropriate materials in circumstances where it believes unauthorised use of the school's computer system is or may be taking place, or the system is or may be being used for criminal purposes or for storing text or imagery which is unauthorised or unlawful. Any inappropriate input to any pupil computer will result in an automatic notification sent to the Head of ICT and a recording made of the computer's activity.



## Social Media Policy

Definitions and Scope Social networking applications include, but are not limited to: Blogs, Online discussion forums, Collaborative spaces, Media sharing services, 'Microblogging' applications, and online gaming environments. Examples include Twitter, Facebook, Windows Live Messenger, YouTube, Flickr, Xbox Live, Blogger, Tumblr, Last.fm, and comment streams on public websites such as newspaper site. Within this policy there is a distinction between use of school-sanctioned social media for professional educational purposes, and personal use of social media Use of Social Media in practice.

### 1. Personal use of social media

- School staff will not invite, accept or engage in communications with parents or children from the school community in any personal social media whilst in employment at Brockhurst and Marlston House Schools.
- Any communication received from children on any personal social media sites must be reported to the DSL.
- If any member of staff is aware of any inappropriate communications involving any child in any social media, these must immediately be reported as above.
- Members of the school staff are strongly advised to set all privacy settings to the highest possible levels on all personal social media accounts.
- All email communication between staff and members of the school community on school business must be made from an official school Gmail account.
- Staff should not use personal email accounts or mobile phones to make contact with members of the school community on school business, nor should any such contact be accepted, except in circumstances given prior approval by the Headmaster.
- Staff are advised to avoid posts or comments that refer to specific, individual matters related to the school and members of its community on any social media accounts.
- Staff are also advised to consider the reputation of the school in any posts or comments related to the school on any social media accounts.
- Staff should not accept any current pupil of any age or any ex-pupil of the school under the age of 18 as a friend, follower, and subscriber or similar on any personal social media account.

### 2. School-sanctioned use of social media.

There are many legitimate uses of social media within the curriculum and to support student learning. For example, the school has an official Facebook account. When using social media for educational purposes, the following practices must be observed:

- Staff should set up a distinct and dedicated social media site or account for educational purposes.
- The URL and identity of the site should be notified to a member of the SLT before access is permitted for the school community.
- The content of any school-sanctioned social media site should be solely professional and should reflect well on the school.
- Care must be taken that any links to external sites from the account are appropriate and safe.
- Any inappropriate comments on or abuse of school-sanctioned social media should immediately be removed and reported to a member of SLT.
- Staff should not engage with any direct messaging of students through social media where the message is not public.

