

BETHANY SCHOOL CODE OF CONDUCT POLICY **Including Disciplinary Procedure and dealing with Low Level concerns**

October 2022

INTRODUCTION

Bethany School seeks to provide a safe and supportive environment for all staff, pupils and volunteers. We aim to protect the well-being of everyone involved and achieve the very best outcomes for pupils in our care. This document provides a guide for those working in the Bethany school about acceptable and desirable conduct to protect both adults and pupils. It refers to and complements other policies and guidance, including: Safeguarding Policy, Online -Safety Policy, Staff Recruitment Policy, Whistleblowing Policy, , Guidance for safer working practice for those working with children and young people in education settings, Keeping Children Safe in Education

and

https://www.safeguardingsheffieldchildren.org/assets/1/behaviour_guidance_and_positions_of_trust_sept_22.pdf

All school staff are role models and are in a unique position of influence and must adhere to behaviour that sets a good example to all the pupils within the school. As a member of a school community, each staff member has an individual responsibility to maintain their reputation and the reputation of the school, whether inside or outside working hours.

We believe the school will function more effectively and harmoniously as an organisation if all employees work with common purpose and values. Roles which have significant leadership or representative responsibilities, e.g. governors and teaching staff, or that are central to fulfilling the aims and purposes of the school both internally or externally, or developing and maintaining our Christian ethos, will usually be held by committed evangelical Christians. This does not apply to parent governors or volunteers, who do not need to be Christians.

The school is committed to its staff, to their development both professionally and spiritually and has a duty of care towards each member of the team. The school is committed to act in all circumstances with the best interests of pupils in mind and with compassion, grace and pastoral concern. Members of staff are encouraged to make every reasonable effort and intention to meet the standards of personal conduct and working practice set out in this code of conduct.

All staff are expected to familiarise themselves and comply with all school policies and procedures including those mentioned above.

This Code of Conduct applies to all employees of the school. This Code of Conduct does not form part of any employees' contract of employment.

A culture of vigilance is critical within the school. All concerns about adults (including allegations that do not meet the harms threshold - see KCSIE) should be shared responsibly and with the right person, recorded and dealt with appropriately. An open and transparent culture will enable the school to identify concerning, problematic or inappropriate behaviour early; and minimise the risk of abuse. A culture of vigilance will help to ensure that adults working in or on behalf of the school are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the school.

Any behaviours that fall short of the guiding principles outlined in the document *Guidance for safer working practice for those working with children and young people in education settings* must be shared responsibly and with the right person. All concerns that do not meet the harm threshold must be recorded and dealt with appropriately as a low level concern as referenced below and in *Keeping Children Safe in Education*.

SETTING AN EXAMPLE

All staff who work in schools set examples of behaviour and conduct which can be copied by pupils. All staff must, therefore, demonstrate high standards of conduct in order to encourage our pupils/students to do the same.

This code helps all staff to understand the high standards of conduct that we expect, and what behaviour is not acceptable in Bethany School as a result of our shared beliefs and values.

SAFEGUARDING PUPILS

Staff have a duty to safeguard pupils from physical abuse, sexual abuse, emotional abuse, and neglect

The duty to safeguard pupils includes the duty to report concerns about a pupil or colleague to the school's Designated Safeguarding Lead (DSL) for Child Protection.

The school's DSL is Mr. D Charles

Staff must be familiar with the school's Safeguarding and Child Protection Policy and Whistleblowing Procedure.

Staff should treat children with respect and dignity and must not seriously demean or undermine pupils, their parents or carers, or colleagues.

Staff should not demonstrate behaviours that may be perceived as sarcasm, making jokes at the expense of students, embarrassing, or humiliating students, discriminating against, or favouring students.

Staff must take reasonable care of pupils under their supervision with the aim of ensuring their safety and welfare.

Staff should report breaches in the code of conduct to the Head Teacher or DSL. This is as relevant in the online world as it is in the classroom; staff engaging with pupils and/or parents online have a responsibility to model safe practice at all times.

SAFER WORKING PRACTICES

The following are examples of behaviours we would expect to find within the staff team at Bethany school:

- willingness to give account of a living faith in Jesus Christ within settings and context appropriate to day to day responsibilities;
- regular commitment and participation in the life of a local church;
- the treatment of one another with grace, respect, courtesy, politeness, forgiveness and Christian love;
- honesty and co-operation in our interactions, timekeeping and work practice;
- respect for authority and for individual conscience and diversity as people working together;
- commitment to good stewardship of the school's finance and resources;
- avoiding the use of inappropriate or offensive language;
- avoiding putting themselves at risk of allegations of abusive or unprofessional conduct by maintaining professional standards of behaviour and appropriate boundaries at all times in relationships between themselves and the pupils, themselves, and the parents, and avoiding behaviour which could be misinterpreted by others.
- familiarising themselves and complying with all school policies and procedures.

The school also has regard to the *Guidance for safer working practice for those working with children and young people in education settings 2022* underpinning principles as follows:

- The welfare of the child is paramount.
- Staff should understand their responsibilities to safeguard and promote the welfare of pupils.
- Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Staff should work, and be seen to work, in an open and transparent way including self-reporting if their conduct or behaviour falls short of these guiding principles.
- Staff should acknowledge that deliberately invented/malicious allegations are extremely rare and that all concerns should be reported and recorded.
- Staff should discuss and/or take advice promptly from the Head Teacher if they have acted in a way which may give rise to concern.
- Staff should apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief, and sexual orientation.
- Staff should not consume or be under the influence of alcohol or any substance, including prescribed medication, which may affect their ability to care for children.
- Staff should be aware that breaches of the law and other professional guidelines could result in disciplinary action being taken against them, criminal action, and/or other proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity, or for acts of serious misconduct prohibition from teaching by the Teaching Regulation Agency (TRA).
- Staff and managers should continually monitor and review practice to ensure this guidance is followed.
- Staff should be aware of and understand their establishment's child protection policy, arrangements for managing allegations against staff, staff behaviour policy, whistle blowing procedure and their local authority safeguarding procedures.

DISQUALIFICATION

Disqualification under the Child Care Act applies to staff themselves who work in a childcare capacity, whether paid, volunteer or are on work placements.

Relevant staff are those working in childcare, or in a management role because they are: working with reception age children at any time; or working with children older than reception until age eight, outside school hours.

All staff **must** declare if they are disqualified under the Child Care Act.

Disqualification by Association applies if a person is living in the same household where another person who is disqualified lives or is employed (disqualification 'by association') as specified in regulation 9 of the 2018 regulations. Under the 2018 regulations, schools are no longer required to establish whether a member of staff providing, or employed to work in childcare, is disqualified by association.

However, there is now an expectation for all staff to inform the school where their relationships and associations, both within and outside of the workplace (including online), may have implications for the safeguarding of children in the school.

If your circumstances change you must inform the Head Teacher of the school, including informing them of any name changes that have not previously been declared.

RELATIONSHIPS WITH PUPILS

Bethany School accepts that many of our pupils, staff, families and volunteers know each other in a social context through church or other (often family) relationships. We view this as a strength and a core part of our aim to support parent's active participation in Bethany School. Staff should make such relationships known and not assume that the school is aware of such connections.

However, staff personal relationships with pupils must be professional and unbiased at all times. Physical relationships with pupils are not permitted and may lead to a criminal conviction.

Professional contact with pupils must be via school authorised mechanisms ie school email addresses and google classroom. Personal telephone numbers, email addresses or communication routes via personal accounts on social media platforms must not be used to communicate with pupils.

If contacted by a student by an inappropriate route, staff should report the contact to the Head Teacher immediately.

PUPIL DEVELOPMENT

Staff must comply with school policies and procedures, collaborate with colleagues and with external agencies and follow reasonable instructions that support the well-being and development of pupils.

HONESTY AND INTEGRITY

Staff must maintain high standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of school property and facilities.

All staff must comply with the Bribery Act 2010. A person may be guilty of an offence of bribery under this act if they offer, promise, or give financial advantage or other advantage to someone; or if they request, agree, or accept, or receive a bribe from another person. If you believe that a person has failed to comply with the Bribery Act, you should refer to the Whistleblowing procedure for schools. For further information see the Model Anti Bribery Policy for Schools available on the Grid.

Gifts to teachers from suppliers or associates (including students or parents) of the school must be declared to the Head Teacher with the exception of "one off" token gifts from students or parents.

Financial gifts towards the work of the school are passed from the Head teacher to the school treasurer and recorded in the school budget.

CONDUCT OUTSIDE OF WORK

Staff must not engage in conduct outside work which could seriously damage the reputation and standing of the school or the employee's own reputation or the reputation of other members of the school community.

In particular, criminal offences that involve violence or possession or use of illegal drugs or sexual misconduct are likely to be regarded as unacceptable.

Staff may undertake work outside school, either paid or voluntary, provided that it does not conflict with the interests of the school nor be to a level which may contravene the working time regulations or affect an individual's work performance in the school.

ONLINE SAFETY AND INTERNET USE

Staff must exercise caution when using information technology and be aware of the risks to themselves and others. Regard should be given to the schools' Online -Safety and ICT Acceptable Use Policy at all times both inside and outside of work.

Staff must not engage in inappropriate use of social network sites which may bring themselves, the school, school community or employer into disrepute. Staff should ensure that they adopt suitably high security settings on any personal profiles they may have.

Staff should exercise caution in their use of all social media or any other web-based presence that they may have, including written content, videos or photographs, and views expressed either directly or by 'liking' certain pages or posts established by others. This may also include the use of dating websites where staff could encounter students either with their own profile or acting covertly.

School related contact with students should only be made via the use of school email accounts or telephone equipment when appropriate, and not on social media accounts. Bethany school staff should not become 'friends' with a current pupil online.

Photographs or video footage of students should only be taken using school equipment, for purposes authorised by the school. Any such use should always be transparent and only occur where parental consent has been given. The resultant files from such recording or taking of photographs must be stored in accordance with the schools procedures on school equipment.

CONFIDENTIALITY

Where staff have access to confidential information about pupils or their parents or carers, staff must not reveal such information except to those colleagues who have a professional role in relation to the pupil.

All staff are likely at some point to witness actions which need to be confidential. For example, where a pupil is bullied by another pupil (or by a member of staff), this needs to be reported and dealt with in accordance with the appropriate school procedure.

However, staff have an obligation to share with the Head Teacher or the school's Designated Safeguarding Lead any information which gives rise to concern about the safety or welfare of a pupil. Staff must **never** promise a pupil that they will not act on information that they are told by the pupil.

DRESS AND APPEARANCE

All staff must dress in a manner that is compliant with professional standards and promotes a positive and professional image.

Staff should dress in a manner that is not offensive, revealing or sexually provocative.

Staff should dress in a manner that is absent from political or other contentious slogans.

In online engagement, clothing should be similar to the clothing worn on a normal school day.

LOW LEVEL CONCERNS

Staff are expected to report concerns, no matter how small, about their own behaviour or that of another member of staff, volunteer, supply teacher, contractor or other person working in school.

A low-level concern is any concern, no matter how small, even if no more than causing a sense of unease or a 'nagging doubt', that a person working in or on behalf of the school may have acted in a way that:

- is inconsistent with the "Guidance for safer working practice", including inappropriate conduct outside of work, and
- does not meet the allegations threshold or is otherwise not considered serious enough to make a referral to the LADO.

Reporting low-level concerns

- Where a low-level concern has been identified this will be reported as soon as possible to the Head Teacher. However, it is never too late to share a low-level concern if this has not already happened.
- Where the Head Teacher is not available, the information will be reported to the Designated Safeguarding Lead or Deputy (i.e., the most senior member of SLT acting in this role).
- Low-level concerns about the Designated Safeguarding Lead will be reported to the Headteacher and those about the Head Teacher will be reported to the Safeguarding Governor.
- Where the Designated Safeguarding Lead and the Head Teacher are the same person, all concerns will go directly to the Safeguarding Governor.
- Where the low-level concern has been reported to the Designated Safeguarding Lead, they will inform the Head Teacher of the details as soon as possible.

Recording concerns

- A summary of the low-level concern should be written down, signed, timed, dated and shared by the person bringing the information forward.
- Where concerns are reported verbally to the head teacher a record of the conversation will be made by the head teacher which will be signed, timed, and dated.

For further details see appendix 1 'responding to low level concerns'

DISCIPLINARY PROCEDURE

Staff should be aware that a failure to comply with this Code of Conduct could result in disciplinary action including but not limited to dismissal.

The Governing Body of Bethany School is committed to ensuring that all staff at the school should be treated in a consistent, fair and sensitive manner. Bethany School is committed to act, in all situations, with compassion, grace and pastoral concern, and make decisions based on these and the best interests of its pupils.

It is expected that, wherever possible, problems of indiscipline will initially be dealt with through informal means. Where such intervention has not led to the desired improvement or the matter is sufficiently serious to warrant immediate formal action, further action will be taken. Some issues may be as the result of incapacity or an error of judgement rather than lifestyle choice, and Bethany School undertakes to respond, encouraging restoration.

While the use of disciplinary procedures should always be viewed as a last resort, in no way do they exempt Bethany School from making every possible effort to safeguard the best interests of pupils, to encourage high standards of conduct, or to model good working relationships that convey respect for people and property.

Definitions

Misconduct which may warrant action under the appropriate stage of the disciplinary procedure includes:

- Poor timekeeping or persistent lateness
- Unauthorised absence from work
- Unauthorised use of the school facilities including the Internet.
- Wilful failure to comply with a reasonable instruction from a member of leadership
- Persistent minor breaches of health and safety requirements
- Foul or abusive language
- Sexual or racial harassment which is not sufficiently serious to fall into the category of 'gross misconduct'.

Gross misconduct includes:

- Unauthorised removal of school property
- Serious sexual or racial harassment

- Offences of dishonesty
- Serious breaches of health and safety requirements
- Sexual offences
- Serious criminal offences which undermine the employee's ability to perform his/her job
- Sexual misconduct at work
- Persistent wilful failure to comply with a reasonable instruction from a member of leadership
- Fighting
- Physical assault
- Actions which bring the school into serious disrepute
- Drunkenness.
- Falsification of time sheets, subsistence and expenses claims etc.
- Theft
- Malicious damage to the school's property.

Issues relating to the use of the Staff Discipline Policy and the terms 'misconduct', 'gross misconduct', 'negligence' and 'gross negligence' may sometimes relate to complaints against staff and the separate Complaints Procedure document may need to be read in conjunction with this policy.

As with any disciplinary investigation, employees will be treated within a context of grace and compassion while time is taken to consider the circumstances of the situation, e.g.

- the severity of the perceived misconduct;
- whether the incident is a 'one-off' or part of repeated behaviour
- any mitigating circumstances, e.g. personal issues
- the position of trust of the employee within Bethany School
- Christian maturity and understanding
- the treatment of similar instances of misconduct by other employees
- evidence of repentance.

It is understood that while every member of staff is vulnerable to behaviour which contravenes that laid out in Scripture, our desire as an organisation is to inspire, encourage and build one another up in the faith in order to honour, obey and glorify God in our work.

COMPLIANCE

This code of conduct will form part of our school safeguarding training and induction for new staff. A sign sheet record will be kept to demonstrate staff have understood and agree to comply with this code of conduct.

Policy Adopted by Governors on: 10/10/2022

Policy Due for Review on: September 2023

Appendix 1: Responding to Low level concerns

Recording concerns

A summary of the low-level concern should be written down, signed, timed, dated and shared by the person bringing the information forward.

Where concerns are reported verbally to the head teacher a record of the conversation will be made by the head teacher which will be signed, timed, and dated.

Responding to Low level concerns

Where a low-level concern has been raised this will be taken seriously and dealt with promptly. The head teacher will:

- Speak to the person reporting the concern to gather all the relevant information
- Speak to the individual about the concern raised to ascertain their response, unless advised not to do so by the LADO or Police (HR advice may also need to be taken).
- Where necessary further investigation will be carried out to gather all relevant information. This may involve speaking to any potential witnesses.
- The information reported and gathered will then be reviewed to determine whether the behaviour,
 - i) is consistent with the “Guidance for safer working practice for those working with children and young people in education settings” : no further action will be required,
 - ii) constitutes a low-level concern: no further action is required, or additional training/guidance/support may be required to rectify the behaviour via normal day to day management processes. The employee should understand that failure to improve or a repeat of the behaviour may lead to further action being taken,
 - iii) is serious enough to consult with or refer to the LADO: a referral should be made to the LADO and advice taken from relevant bodies. In this case the school’s Managing Allegations procedure within the Safeguarding Policy will be followed.
 - iv) when considered with any other low-level concerns that have previously been raised about the same individual, should be reclassified as an allegation, and referred to the LADO or Police: a referral should be made to the LADO and advice taken from relevant bodies. In this case the school’s Managing Allegations procedure within the Safeguarding Policy will be followed.
- Records will be made of,
 - i) all internal conversations including any relevant witnesses,
 - ii) all external conversations e.g., with the LADO
 - iii) the decision and the rationale for it,
 - iv) any action taken

Can the reporting person remain anonymous?

The person bringing forward the concern will be named in the written record. Where they request to remain anonymous, this will be respected as far as possible. However, there may be circumstances where this is not possible e.g., where a fair disciplinary investigation is needed or where a later criminal investigation is required.

Should staff report concerns about themselves (i.e., self-report)?

It may be the case that a person finds themselves in a situation which could be misinterpreted or might appear compromising to others; or they may have behaved in a manner which on reflection they consider falls below the standard set out in the “Guidance for safer working practice”. In these circumstances they should self-report. This will enable a potentially difficult situation to be addressed at an early opportunity if necessary.

Where behaviour is consistent with the “Guidance for safer working practice”

Feedback will be given to both parties to explain why the behaviour was consistent with the “Guidance for safer working practice”.

Should the low-level concerns file be reviewed?

The records will be reviewed periodically, and whenever a new low-level concern is added, so that potential patterns of concerning, problematic or inappropriate behaviour can be identified and referred to the LADO if required. A record of these reviews will be retained.

References

Low-level concerns will not be included in references unless a low-level concern, or group of concerns, has met the threshold for referral to the LADO and found to be substantiated.

What is the role of the Governing Body?

The head teacher will regularly inform the Governing Body about the implementation of the low-level concerns policy including any evidence of its effectiveness e.g., with relevant data. The Safeguarding Governor may also review an anonymised sample to ensure that these concerns have been handled appropriately.