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Statement of Intent

SWRAC expects all students to receive high-quality teaching and learning in a positive and respectful environment.

Employees should understand that their own behaviour, and the manner in which they conduct themselves with their colleagues, students, parents and other stakeholders, sets an example.

We recognise that the majority of staff members act appropriately and treat each other with dignity and respect; however, we consider it important to clarify the expected standards.

This policy forms part of a staff member's contract of employment and failure to comply with it, and with the associated SWRAC policies, may result in disciplinary action being taken, including legal action where this is warranted.

This document applies to everyone who is:

- Employed by SWRAC, including the Principal/Managing Director and volunteers
- Peripatetic or agency staff
- Engaged in any contractual role
- A visitor to SWRAC premises

1. Legal framework

This policy has due regard to all legislation including, but not limited to, the following and including any amendments thereto or Regulations where the context so admits:

- The General Data Protection Regulation (GDPR)
- The Data Protection Act 2018
- The Education Act 2002
- The Children Act 1989
- Sexual Offences Act 2003

This policy also has due regard to statutory guidance including, but not limited to, the following:

- DfE (2019) 'Keeping children safe in education'
- DfE (2018) 'Working Together to Safeguard Children'
- DfE (2018) 'Staffing and employment advice for SWRACs'

This policy operates in conjunction with the following policies and documents:

- SWRAC19 - Child & Vulnerable Adult Protection and Safeguarding Policy
- SWRAC05 - Health and Safety Policy
- SWRAC07 - Data Protection Policy
- SWRAC57 - Allegations of Abuse Against Staff Policy
- SWRAC02 - Equality & Diversity Policy
- SWRAC49 – Compassionate Leave and Time off in Lieu Policy
- SWRAC62 – Sickness Absence Policy
- SWRAC08 - Whistleblowing Policy
- SWRAC32 - E-safety Policy
- SWRAC48 – Disciplinary Procedure
- SWRAC61 – Staff Handbook

2. Safeguarding students

In accordance with 'Keeping children safe in education', all staff members have a responsibility to safeguard students and protect their welfare.

All staff members have a responsibility to ensure that they provide a learning environment in which students feel safe, secure and respected.

To effectively safeguard students, staff members are required to follow the procedures outlined in this Staff Code of Conduct and the Child & Vulnerable Adult Protection and Safeguarding Policy, ensuring that they do not act in a way that may put students at risk of harm, or lead others to question their actions.

SWRAC11

CODE OF CONDUCT



In accordance with SWRAC's Child and Vulnerable Adult Protection and Safeguarding Policy, staff members will be prepared to identify students who may be subject to, or at risk of, the following types of abuse and neglect:

- Physical abuse
- Emotional abuse
- Sexual abuse
- Neglect
- Peer-on-peer abuse
- Serious violence
- FGM

If a staff member identifies a student who is subject to, or at risk of, the abuse and neglect mentioned in 2.4, they will follow the necessary reporting and referral procedures.

Any staff member that has concerns about a staff member's actions or intent that may lead to a student being put at risk of harm will report this in line with the Whistleblowing Policy immediately so appropriate action can be taken.

Upskirting is not tolerated by SWRAC and any incidents of upskirting must be reported to the DSL who will decide on the next steps to take, which may include involving the police.

If a staff member feels unable to raise an issue with the Company, they will use other whistleblowing channels, including contacting the NSPCC's helpline on 0800 028 0285 (between the hours of 8:00am and 8:00pm Monday to Friday) or email help@nspcc.org.uk. Staff members can also access guidance at www.gov.uk/whistleblowing.

If the concern is regarding the Principal/Managing Director, staff will report this to any of the Advisory Board members.

All staff will partake in the appropriate safeguarding and child protection training; additionally, all staff will receive regular safeguarding and child protection updates but at least annually.

Staff will be aware that confidentiality will never be promised to a student – staff will understand the procedure for if a student discloses a potential safeguarding issue, in accordance with SWRAC's Child and Vulnerable Adult Protection Policy.

Staff will be aware of SWRAC's legal duty to refer anyone who has harmed, or poses a risk of harm to, a child or vulnerable adult to the DBS – this includes where:

- The harm test is satisfied in respect of that individual
- The individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence
- The individual has been removed from working in regulated activity or would have been removed if they had not left their post

3. Appearance and dress

SWRAC expects that staff members will:

- Ensure that their appearance is clean and neat when at work or representing SWRAC.
- Dress in a manner that is appropriate to their role.
- Remember that they are role models for students, and that their dress and appearance should reflect this.
- Not dress in a way that would cause embarrassment to students, parents, colleagues or other stakeholders.

4. Attendance

SWRAC expects that staff members will:

- Attend work in accordance with their contract of employment and associated terms and conditions in relation to hours, days of work and holidays.
- Make routine medical and dental appointments outside of their working hours or during holidays where possible.
- Refer to SWRAC's Compassionate Leave & Time off in Lieu Policy if they need time off for any reason other than personal illness.
- Follow SWRAC's Sickness Policy when they are absent from work due to illness or injury.

5. Professional behaviour and conduct

Staff members are expected to treat other colleagues, students, parents, and external contacts with dignity and respect.

The use of foul and abusive language will not be tolerated.

Discrimination, bullying, harassment or intimidation, including physical, sexual and verbal abuse, will not be tolerated.

Staff members will not misuse or misrepresent their position, qualifications or experience, or bring SWRAC into disrepute.

Staff members will inform the Principal/Managing Director if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution.

Staff will be aware that professional behaviour and conduct is expected to be extended to extra-curricular trips and visits too. All staff attending a trip or visits will act in accordance with this policy.

Staff will act appropriately in terms of the views they express (in particular political views) and the use of SWRAC resources at all times and will not use SWRAC resources for any political purpose.

6. Conduct outside of work

Staff may undertake work outside SWRAC, either paid or voluntary, provided that it does not conflict with the interests of SWRAC. The nature of the work cannot be seen to bring SWRAC into disrepute, nor be at a level which may contravene the working time regulations or affect an individual's work performance.

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

In particular, criminal offences that involve violence, possession or use of illegal drugs or sexual misconduct are unacceptable.

Staff will not engage in inappropriate use of social network sites which may bring themselves, SWRAC, SWRAC community or employer into disrepute. This is explored further in section 15.

7. Transferable Risks

All staff and Advisory Board Members must be aware that the Police and/or the Local Authority Designated Officers will inform an employer where activities, behaviours, criminal activities and some health concerns may be considered to be sufficiently serious to impact on the safety of Children that individuals work with.

These are known as 'Transferable Risks' and cover a very wide range of activities but, as non-exhaustive examples, include the following :-

- Behaviour in a way in their private life that indicates they may pose a risk of harm to children
- Mental Health
- Historical and current use of IT
- Substance misuse
- Prescribed medication
- Personal relationships
- Police inquiries

Staff should inform the DSL if they consider that any aspect of their private life may be interpreted as a potential risk to children.

8. Smoking, alcohol and other substances

SWRAC's Smoking, Alcohol and Drugs Policy should be consulted with regard to this section
Staff will not smoke on, or within SWRAC premises.

Staff will not smoke whilst working with or supervising students off-site, such as when on educational visits and trips.

The taking of illegal drugs or alcohol during working hours is unacceptable and will not be tolerated. Staff members must never attend work under the influence of alcohol or illegal drugs.

If alcohol or drug usage impacts on a staff member's performance, SWRAC has the right to discuss the matter with the employee and take appropriate action in accordance with SWRAC's Disciplinary Procedures, including referral to the police.

9. Health and safety

Staff members will:

- Be familiar with and adhere to SWRAC's Health and Safety Policy and ensure that they take every action to keep themselves and everyone in SWRAC environment safe and well.
- Comply with health and safety regulations and use any safety equipment and protective clothing which is supplied to them.
- Comply with hygiene requirements.
- Comply with accident reporting requirements.
- Inform the Principal/Managing Director of any paid work which is undertaken elsewhere, for compliance with The Working Time Regulations 1998 (as amended).

10. Declaration of interests

Staff members are required to declare their interests, both personal and financial, where the group or organisation they are affiliated with would be considered to be in conflict with the ethos of SWRAC.

For the purposes of this policy, a financial conflict of interest is one where there is, or appears to be, opportunity for personal financial gain, financial gain for close relatives or friends, or where it may be reasonable for a third party to take the view that financial benefits may affect an individual's actions.

The term 'financial interest' means anything of monetary value, including the following:

- Payments for services
- Equity interests
- Intellectual property rights
- Hospitality or gifts

Examples of financial interests that must be declared include, but are not limited to, equity interests in services considered for use by SWRAC.

Non-financial conflicts of interest can also come into conflict, or be perceived to come into conflict, with an individual's obligations or commitments to SWRAC. These interests may include any benefit or advantage including, but not limited to, direct or indirect enhancement of an individual's career or gain for immediate family or someone with whom the individual has a close relationship.

Examples of situations that could give rise to non-financial conflicts of interest include the following:

- Pressure or temptation to accept gifts, inducements or hospitality
- Participating in the appointment, hiring, promotion, supervision or evaluation of a person with whom the individual has a close personal relationship

- Where a member of staff has or develops a close personal relationship with a colleague

Membership to a trade union or staff representative group does not need to be declared.

Staff members will also carefully consider whether they need to declare their relationship with any individual where this might cause a conflict with SWRAC activities.

Failure to make a relevant declaration of interests is a very serious breach of trust and, therefore, if employees are in doubt about a declaration, they are advised to contact SWRAC.

11. Relationships with students

SWRAC expects that staff will:

- Maintain professional boundaries and relationships with students at all times, and will consider whether their actions are warranted, proportionate, safe and necessary.
- Act in an open and transparent way that would not lead to others questioning their actions.
- Ensure that they do not establish social contact with students for the purpose of securing a friendship, or to pursue or strengthen a relationship.
- Ensure that they do not develop personal or sexual relationships with students: this includes sexual remarks and discussing their own sexual relationships with, or in the presence of, students.
- Only contact students via SWRAC's established mechanisms: personal phone numbers, email addresses or social media platforms will not be used to contact students.

Under the Sexual Offences Act 2003, it is an offence for a person aged 18 or over to have a sexual relationship with a child under 18 where that person is in a position of trust in respect to that child, even if the relationship is consensual.

12. Physical contact with students

SWRAC understands that there are circumstances in which it is entirely necessary for staff to have physical contact with students, e.g. when applying first aid, but staff will only do so in a professional and appropriate manner in line with relevant SWRAC policies.

When physical contact is made with students, it is imperative that it is conducted in a way which is responsive to the student's needs, is of limited duration and is appropriate to their age, stage of development, gender, ethnicity and background.

Staff will seek the student's permission, where possible, before initiating contact.

Staff will always use their professional judgement when determining what physical contact is appropriate, as this may differ between students. As such, the student's feelings and wishes will always be taken into account.

Staff will never touch a student in a way which is indecent and will always be prepared to explain their actions.

Staff will be aware that even well-intentioned physical contact may be misconstrued by a student, an observer or by anyone to whom this action is described and, therefore, will be prepared to justify their actions.

Staff will not engage in rough play, tickling or play fights with students.

Extra caution will be taken where it is known that a student has previously suffered from abuse or neglect.

Physical contact will never be secretive; if a member of staff believes an action could be misinterpreted, this will be reported to the DSL/ADSL and appropriate procedures will be followed.

Where it is necessary in PE classes for teachers to demonstrate use of equipment, this will be conducted with another member of staff if possible. If a student is required to participate, their consent will be given before doing so.

If a child is in distress and in need of comfort as reassurance, staff may use age-appropriate physical contact, such as placing their hand on the student's shoulder. Staff will remain self-aware of their actions at all times and ensure that their contact is not threatening, intrusive or subject to misinterpretation.

13. Showering and changing

Students are entitled to respect and privacy whilst they are changing before/after PE; however, a level of supervision is required to ensure that students are safe, and that they are not subjected to bullying. The supervision will be appropriate to the needs and ages of the students, and sensitive to the potential for embarrassment.

Staff will announce their intention of entering the changing room to allow students to maintain their privacy.

Staff will never change or shower in the same area as students.

14. Transporting students

When it is necessary to transport students off-site, staff will ensure that the transport arrangements of the vehicle meet all legal requirements, they have an appropriate licence and the vehicle is roadworthy, has a valid MOT certificate and is insured.

SWRAC does not forbid transporting students on a 1:1 basis for the purposes of SWRAC's general activity (and where the DBS procedure has been completed). However, where 1:1 transport is provided, staff shall ensure that their immediate line-manager is notified before, and at the end, of any unplanned journey.

15. Financial inducements

Staff members will:

- Familiarise themselves and comply with SWRAC's financial regulations.
- Declare to the Advisory Board, in writing, any gifts received, with the exception of:
 - Low cost, functional items suitable for business rather than personal use and displaying the supplier's logo – these items may be accepted.
 - Gifts offered by parents or students to SWRAC staff to express their gratitude, but staff members should always refuse monetary gifts.
 - Hospitality in the form of meals and drinks where it is part of a normal business meeting.
 - Authorised visits to exhibitions, demonstrations, conferences, business meals and social functions in connection with SWRAC's business, which shall be at SWRAC's expense.
- Not accept a personal gift, payment, or other incentive from a business contact – any such gifts should be returned.
- Declare any gift that cannot be returned to the Advisory Board, who will decide how it will be used.
- Only accept offers to specific events after authorisation from the Advisory Board.

16. Acceptable use of technology

Staff will adhere to the procedures outlined in SWRAC's E-safety Policy at all times.

Staff shall not disable or reduce any security settings that have been installed onto any SWRAC electronic device.

Staff will not engage in inappropriate use of social networking sites including contacting students or their family members, accepting or inviting friend requests from students or their family members, or following students or their family members on social media.

SWRAC understands that some staff members are also parents of students at SWRAC and, therefore, may wish to contact other parents. When doing so, staff will exercise their professional judgement and will not contact family members on social media if this would lead to a conflict of interest.

Staff will remain mindful of their use of social media and their web-based presence including written content, videos or photographs, and views expressed directly or indirectly which may bring themselves, SWRAC or SWRAC community into disrepute.

17. Premises, equipment and communication

SWRAC equipment and systems are available only for SWRAC-related activities and will not be used for the fulfilment of another job or for personal use, unless specifically authorised by the Principal/Managing Director.

Illegal, inappropriate or unacceptable use of SWRAC equipment or communication systems may result in disciplinary action and, in serious cases, could lead to an employee's dismissal.

Employees receiving inappropriate communication or material, or who are unsure about whether something he/she proposes to do might breach this policy, should seek advice from the Principal/Managing Director.

SWRAC reserves the right to monitor emails, phone calls, internet activity or document production, principally in order to avoid offensive or nuisance material and to protect systems from viruses, but also to ensure proper and effective use of systems.

Communication systems may be accessed when SWRAC suspects that the employee has been misusing systems or facilities, or for the investigation of suspected fraud or other irregularity. Access will be secured only with the permission of the Head Teacher or Advisory Board.

Passwords should not be shared and access to computer systems must be kept confidential except on the express request of the Principal/Managing Director. Breaches of this confidentiality may be subject to disciplinary action.

SWRAC equipment that is used outside the premises, e.g. laptops, will be returned to SWRAC when the employee leaves employment or if requested to do so by the Principal/Managing Director.

18. Photography and videos

Photographs and videos will only be taken using SWRAC equipment – using personal mobile phones for this purpose is prohibited, in accordance with SWRAC's E-Safety Policy.

Consent for taking photographs will be obtained from parents, or the student themselves, if they are deemed old enough and able to make the decision for themselves.

The age of consent that is legislated is 13 and above; however, this is only applicable for online services provided directly to children. For everything else, an appropriate age for consent is considered on a case-by-case basis by the DSL or Principal/Managing Director and a student's parents (where appropriate).

Students who have not provided consent, either personally or via their parents, to have their photograph taken or be filmed will have their wishes respected, in line with the E-Safety Policy.

The Principal/Managing Director will be notified of the proposed use of the imagery or video and the equipment and ensure that the use of such is included in lesson plans where this is necessary.

All photographs and videos will be available for scrutiny, and staff will be prepared to justify the images or footage taken.

Careful consideration will always be given to the activities which are being filmed or photographed, to ensure that images or videos are not indecent and cannot be misused.

19. Data protection and confidentiality

Regarding personal and sensitive data, staff members are required, under the GDPR and the Data Protection Act 2018, to:

- Consider the legal basis for collecting the data, ensuring that this is documented.
- Ensure that the data is stored on a GDPR-compliant server, and that the data is not held for any longer than necessary.
- Securely dispose of the data when the relevant retention period ends.

Staff members will not disclose sensitive information about SWRAC, its employees or the LA to other parties.

The only exception whereby it is acceptable for a staff member to disclose information that would otherwise be considered confidential is when the confidential information gives rise to concerns about the safety or welfare of a student.

Staff members have the right to request access to data that is held about them. Such requests will be made to the Principal/Managing Director in writing in accordance with SWRAC's Data Protection Policy.

20. Probity of records

The deliberate falsification of documents, such as references, academic qualifications or legal documents, is unacceptable. Where a staff member falsifies records or other documents, including those held electronically, this will be regarded as a serious disciplinary matter and potentially a criminal offence.

21. Contacts

Staff members will not use SWRAC business contacts for acquiring materials or services at trade/discount prices for non-SWRAC activities.

22. Monitoring and review

This policy will be reviewed on a bi-annual basis by the Principal/Managing Director and any changes made will be communicated to all members of staff.

All members of staff are required to familiarise themselves with this policy as part of their induction programme.