



**Safe Working Practices for the
Protection
of
Children and Staff in Education**

School Aims:

- Work together to do our best**
- Serve as partners with our community**
- To care and respect ourselves, each other and the world we live in**
- Help everyone to learn skills for life**
- Experience success**

Roles and Responsibilities

Duty of Care

Teachers and other education staff are accountable for the way in which they exercise authority, manage risk, use resources and protect pupils from discrimination and avoidable harm.

All staff, whether paid or voluntary, have a duty to keep young people safe and protect them from physical and emotional harm. This duty is exercised through the development of respectful, caring and professional relationships between staff and pupils and behaviour by staff that demonstrates integrity, maturity and good judgement.

LEA schools and parents have legitimate expectations about the nature of professional involvement in the lives of the pupils. When individuals accept a role that involves working with children and young people, they need to understand and acknowledge the responsibilities and trust inherent in that role.

Employers have a duty of care towards their employees under the Health and Safety Act 1974 which requires them to provide a safe working environment for staff and guidance about safe working practices. The Act also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings. In this respect, the duty of care towards both staff and children can be demonstrated through the use of these guidelines.

An employer's duty of care and the staff duty of care towards children should not conflict. At Mottram Primary we will:

- Always act in the children's best interest.
- Never ask a certain child to behave in one way but not others
- Always conduct ourselves in a professional manner inside and outside the workplace

Exercise of Professional Judgement

This guidance cannot provide a complete checklist of what is, or is not appropriate behaviour for staff. It does highlight however, behaviour that is illegal, inappropriate or inadvisable.

There will be occasions and circumstances in which staff have to make decisions or take action in the best interest of the child or young person which could contravene this guidance or where no guidance exists.

Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge and in so doing, will be seen to be acting reasonably.

At Mottram Primary the staff will:

- Look and behave in a appropriate manner both in school and out in the community
- Show that you have acted in the child's best interest if the need arises

Power and Positions of Trust

As a result of their knowledge, position and/or the authority invested in their role, all adults working with children and young people in education settings are in positions of trust in relation to the young people in their care. A relationship between a member of staff and a pupil cannot be a relationship between equals. There is potential for the exploitation and harm of vulnerable young people, and staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Wherever possible, staff should avoid behaviour, which might be misinterpreted by others, and report and record any incident with this potential.

Where a person aged 18 or over is in a position of trust with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity.

At Mottram Primary:

- All staff will report any behaviour that they feel is inappropriate or that they are uncomfortable with
- Will not make any child feel more special than their peers

Confidentiality

Members of staff may have access to confidential information about pupils in order to undertake their every day responsibilities. In some circumstances staff may be given additional highly sensitive or private information.

They should never use confidential or personal information about a pupil or his/her family for their own or others' advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate or embarrass the pupil.

Confidential information about a child or young person should never be used casually in conversation or shared with any person other than on a need to know basis. In circumstances where the child's identity does not need to be disclosed the information should be used anonymously.

There are some circumstances in which a member of staff may be expected to share information about a child, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay, but only to those with designated child protection responsibilities.

If a member of staff is in any doubt about whether to share information or keep it confidential he or she should seek guidance from a senior member of staff. Any media or legal enquiries should be passed to senior management.

The storing and processing of personal information about pupils is governed by the Data Protection Act 1998.

Employers should provide clear advice to staff about their responsibilities under this legislation.

The booklet "What To Do If You're Worried A Child Is Being Abused" contains further guidance on sharing information to protect children.

Propriety and Behaviour

All staff, have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, pupils and the public in general.

An individual's behaviour, either in or out of the workplace, should not compromise his/her position within the work setting.

The General Teaching Council for England's (GTCE) Code of Professional Values and Practice, which is now embodied within the standards for Qualified Teacher Status, recognises that "Teachers support the place of the school in the community and appreciate

the importance of their own professional status in society. They recognise that professionalism involves using judgement over appropriate standards of personal behaviour.

Dress and Appearance

A person's dress and appearance are matters of personal choice and self-expression. However, staff should consider the manner of dress and appearance appropriate to their professional role which may be different to that adopted in their personal life. Staff should ensure they are dressed decently, safely and appropriately for tasks they undertake. Those who dress or appear in a manner, which could be considered as inappropriate could render themselves vulnerable to criticism or allegation.

At Mottram Primary we:

- Ask staff to dress in a way that promotes a positive and professional image
- Is appropriate to their role
- Is unlikely to cause offence

Gifts

Staff should be aware of the Authority's guidance and/or school's policy including arrangements for the declaration of gifts received and given.

It is against the law for public servants to take bribes. Staff need to take care that they do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

There are occasions when children or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

Similarly, it is inadvisable to give such personal gifts to pupils. This could be misinterpreted as a gesture either to bribe, or single out a young person. It might be perceived that a 'favour' of some kind is expected in return.

Any reward given to a young person should be agreed practice within the establishment, consistent with the school's behaviour policy, recorded and not based on favouritism.

Infatuations

Staff, need to be aware that it is not uncommon for pupils to be strongly attracted to a member of staff and/or develop a heterosexual or homosexual infatuation. All situations should be responded to sensitively to maintain the dignity of all concerned. Staff should also be aware that such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against staff.

A member of staff, who becomes aware that a pupil may be infatuated with himself or herself, or a colleague, should discuss this at the earliest opportunity with a senior colleague so that appropriate action can be taken. In this way, steps can be taken to avoid hurt and distress for all concerned.

Social Contact

Staff should not establish or seek to establish social contact with pupils for the purpose of securing a friendship to pursue or strengthen a relationship. Even if a young person seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise his/her professional judgement in making a response and be aware that such social contact could be misconstrued.

Staff should not give their personal details such as home/mobile phone numbers, home e-mail address to pupils unless the need to do so is agreed with senior management.

Internal e-mail systems should only be used in accordance with school policy.

At Mottram Primary we;

- Do not seek to establish friendships with pupils/families outside the normal school environment

- Do not provide private details
- Advise senior management team of any social contact or incident which may have occurred which could compromise the school or their own professional standing.

Physical Contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role.

A 'no touch' approach is impractical for most staff and may in some circumstances be inappropriate. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity and background. Appropriate physical contact in schools may occur most often with younger pupils.

It is not possible to be specific about appropriateness of each physical contact, since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child. Staff should therefore, use their professional judgement at all times.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority.

If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be recorded as soon as possible in the school's incident book and, if appropriate, a copy placed on the child's file.

Physical contact, which occurs regularly with an individual child or young person, is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to pupils with SEN or physical disabilities). Any such contact should be the subject of an agreed and open school policy and subject and subject to review.

Where feasible, staff should seek the child's permission before initiating contact. Staff should listen, observe and take note of the child's reaction or feelings and – so far as possible – use a level of contact, which is acceptable to the child for the minimum time necessary.

Extra caution may be required where it is known that a child has suffered previous abuse or neglect. In the child's view, physical contact might be associated with such experiences and lead to staff being vulnerable to allegations of abuse. It is recognised that many such children are extremely needy and seek out inappropriate physical contact. In such circumstances staff should deter the child sensitively by helping them to understand the importance of personal boundaries.

The general culture of 'limited touch' should be adapted where appropriate, to the individual requirements of each child. Children with special needs may require more physical contact to assist their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the child's needs consistently applied and open to scrutiny.

Physical Education and other activities which require physical contact.

Some staff, for example, those who teach PE and games, or who offer music tuition will on occasions have to initiate physical contact with pupils in order to support a child so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with exercise. This should be done with the pupil's agreement.

Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment.

Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the child.

Showers and Changing

Young people are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard young people, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential of embarrassment.

Staff, therefore need to be vigilant about their behaviour, ensure they follow agreed guidelines and be mindful of the needs of the pupils.

At Mottram we advise staff:

- Avoid any contact with a child in a state of undress
- No visually intrusive behaviour (not looking over cubicle doors etc)
- Never change in same place as children (undress in toilets)