

## Guidance for Safe Working Practice for the Protection of Children and Staff in School

**Review date: May 2011**

All school staff should aim to provide a safe and supportive environment.

### RATIONALE

- The welfare of the child is paramount.

### PROCEDURES

- 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 or be liable to misinterpretation.
- Staff should discuss and/or take advice promptly from their line manager or another senior member of staff over any incident, which may give rise to concerns.
- Records should be made of any such incident and of decisions made/further actions agreed, in accordance with school policy for keeping and maintaining records.
- All staff should know the name of their designated person for child protection, be familiar with local child protection arrangements and understand their responsibilities to safeguard and protect children and young people.
- Staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.
- All staff have a duty to keep young people safe and to protect them from physical and emotional harm.

### **Power and Positions of Trust**

- As a result of their knowledge, position and/or the authority invested in their role, staff in education settings are in positions of trust.
- A relationship between a member of staff and a student cannot be a relationship between equals. There is potential for 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.
- 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 that child to engage in or watch sexual activity.

### **Confidentiality**

- Staff should never use confidential or personal information about a student or her/his family for their own, or others' advantage. Information must never be used to intimidate, humiliate, or embarrass the student.
- 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.

### **Propriety and Behaviour**

- Staff should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, students and the public in general.

### **Dress and Appearance**

- Staff should dress appropriately for their professional role which may be different to that adopted in their personal life. Staff should ensure they are dressed decently, and safely for the tasks they undertake.

## **Gifts**

- 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.
- Occasionally children or parents may wish to pass small tokens of appreciation to staff eg at Christmas or as a thank-you and this is acceptable. It is unacceptable to receive gifts on a regular basis or of any significant value.
- It is inadvisable to give personal gifts to students. This could be misinterpreted as a gesture either to bribe, or single out the 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 students 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.
- A member of staff, who becomes aware that a student may be infatuated with themselves 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 students for the purpose of securing a friendship or to pursue or strengthen a relationship.
- Staff should not give their personal details such as home/mobile phone number; home or e-mail address to students unless the need to do so is agreed with senior management.
- Internal e-mail systems should only be used in accordance with school policy.
- Staff should not become involved in chat rooms, social networking sites or on-line gaming with students.

## **Physical Contact**

- When physical contact is made with students 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.
- 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 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.
- The general culture of 'limited touch' should be adapted.

## **Physical Education and other activities which require physical contact.**

- Staff who teach PE, or who offer music tuition will occasionally have to initiate physical contact with students 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 an exercise. This should be done with the student's agreement.

## **Showers and Changing**

- Students 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. Supervision should be appropriate to the needs and age of the young people concerned and sensitive to the potential for embarrassment.
- Staff therefore need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the students.

## **Students in Distress**

- Occasionally distressed students need comfort and reassurance. This may include age - appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation.

## **Behaviour Management**

- Students have a right to be treated with respect and dignity. Corporal punishment is unlawful in all schools.
- Staff should not use any form of degrading treatment to punish a student. This relates to physical and emotional abuse.
- The use of humour can help to defuse a situation. The use of sarcasm, demeaning or insensitive comments towards students is not acceptable in any situation.

## **Care, Control and Restraint**

- Staff may legitimately intervene to prevent a student from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Such intervention must not exceed what is generally considered to be appropriate in the circumstances.
- Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence.
- In all cases where restraint is deemed necessary, the incident and subsequent actions should be documented and reported.

## **Sexual Contact with Young People**

- Any sexual behaviour by a member of staff with or towards a child or young person is both inappropriate and illegal.
- Staff are in a position of trust. Any sexual relationship with a student above the age of consent and with their consent is illegal.
- Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour.
- The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material.
- There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child, and manipulate that relationship so sexual abuse can take place. Staff should be aware that conferring special attention and favour upon a child might be construed as being part of a 'grooming' process, which is an offence.

## **One to One Situations**

- Staff working in one to one situations with children may be more vulnerable to allegations.
- Teachers and others should recognise this possibility and plan and conduct such meetings accordingly.
- Meetings should take place in visible, but private areas – preferably with another member of staff present.

## **Transporting Children**

- Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles, with at least one adult additional to the driver acting as an escort.
- Staff should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements.
- They should ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded

## **Educational Visits and After School Clubs, etc.**

- Staff should take particular care when supervising students in the less formal atmosphere of a residential setting or after-school activity.

- During school activities that take place off the school site or out of school hours, a more relaxed discipline or informal dress and language code may be acceptable. However, staff remain in a position of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.
- Where out of school activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Students, staff and parents should be informed of these prior to the start of the trip.

### **First Aid and Administration of Medication**

- Staff should receive appropriate training before administering first aid or medication.
- Students may need medication during school hours. In circumstances where children need medication regularly a health care plan should be drawn up to ensure the safety and protection of students and staff. With the permission of parents, the children should be encouraged to administer the medication themselves.
- If a member of staff is concerned or uncertain about the amount or type of medication being given to a student, this should be discussed with the appropriate senior colleague at the earliest opportunity. When administering first aid, wherever possible, staff should ensure that another adult is present, or aware of the action being taken. Parents should be informed of any serious first aid incident and head injuries.

### **Curriculum**

- Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity.
- The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to students' questions can require careful judgement and staff may wish to take guidance in these circumstances from a senior member of staff.

### **Photography, Videos and other Creative Arts**

- Recording images may be undertaken as part of the curriculum, extra school activities, for publicity, or to celebrate achievement.
- Staff need to be aware of the potential for these aspects of teaching to be misused for pornographic or 'grooming' purposes. Careful consideration should be given as to how these activities are organised, undertaken and used.
- Children who have been previously abused in this way may feel threatened by the use of photography, filming etc in the teaching environment.
- Staff should remain sensitive to any children who appear uncomfortable and should recognise the potential for misinterpretation.
- Using images of children for publicity purposes will require the age - appropriate consent of the individual concerned and their legal guardians. Images should not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the school have access.

It is recommended that when using a photograph the following guidance should be followed:

- if the photograph is used, avoid naming the student
- if the student is named, avoid using their photograph
- schools should establish whether the image will be retained for further use
- images should be securely stored and used only by those authorised to do so.

### **Internet Use**

- See School Use of ICT Policy
- Under no circumstances should adults in school access inappropriate images. Accessing child pornography or indecent images of children on the internet, and making, storing or disseminating such material, is illegal and, if proven, will invariably lead to the individual being barred from work

with children and young people.

- Using school or college equipment to access inappropriate or indecent material, including adult pornography, is likely to give cause for concern particularly if as a result students might be exposed to inappropriate or indecent material.

### **Whistleblowing**

- Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. See School Whistle blowing policy
- Staff should acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where the welfare of children may be at risk.