

Herne Bay High School's Staff Code of Conduct

Policy reviewed by	Jon Boyes Kellyanne Eagle	Date of last review	July 2022	Date of next review	July 2023	Date of last ratification by Governors	July 2023
Purpose of policy							
All staff and volunteers in school have the right to work in a safe environment and understand what rights, limitations and expectations they have placed on them.							

1. Introduction

This Code of Conduct gives clear guidance as to the standards of behaviour all Herne Bay High School (HBHS) staff are expected to observe.

School staff are in a unique position of influence and must adhere to behaviour that models the highest possible standards for all the students within the school.

As a member of a school community, each employee has an individual responsibility to maintain their own reputation and the reputation of the school, whether inside or outside of working hours.

School staff work within a legal framework that gives both rights to and places duties on those who work within education – this Code of Conduct includes the legal framework in which school staff operate.

This Code of Conduct is for all staff at HBHS; however, it is recognised that there are elements of this Code of Conduct that pertain to just teachers.

If any member of staff would like to discuss any element of this Code of Conduct they should, in the first instance, liaise with their line manager.

2. Teachers' Standards

The Teachers' Standards have applied to teachers since September 2012. [Teachers' Standards guidance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

The Teacher Standards state within their preamble that:

Teachers make the education of their pupils their first concern and are accountable for achieving the highest possible standards in work and conduct. Teachers act with honesty and integrity; have strong subject knowledge, keep their knowledge and skills as teachers up-to-date and are self-critical; forge positive professional relationships; and work with parents in the best interests of their pupils.

Specifically, the Teacher Standards state:

Part One: a teacher must:

1. Set high expectations which inspire, motivate and challenge pupils
2. Promote good progress and outcomes by pupils
3. Demonstrate good subject and curriculum knowledge
4. Plan and teach well-structured lessons
5. Adapt teaching to respond to the strengths and needs of all pupils

6. Make accurate and productive use of assessment
7. Manage behaviour effectively to ensure a good and safe learning environment
8. Fulfil wider professional responsibilities

Part Two: Personal and professional conduct:

A teacher is expected to demonstrate consistently high standards of personal and professional conduct. The following statements define the behaviour and attitudes which set the required standard for conduct throughout a teacher's career.

- Teachers uphold public trust in the profession and maintain high standards of ethics and behaviour, within and outside school, by:
 - treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position
 - having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions
 - showing tolerance of and respect for the rights of others
 - not undermining fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
 - ensuring that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law.
- Teachers must have proper and professional regard for the ethos, policies and practices of the school in which they teach and maintain high standards in their own attendance and punctuality
- Teachers must have an understanding of, and always act within, the statutory frameworks which set out their professional duties and responsibilities

The Teachers' Standards define the minimum level of practice expected of trainees and teachers from the point of being awarded QTS. In accordance with these standards, teachers are required to maintain up-to-date knowledge and understanding of and to act within the statutory frameworks which set out their professional duties and responsibilities.

The Teachers' Standards are used to assess all trainees working towards QTS, and all those completing their statutory induction period. They are also used to assess the performance of all teachers with QTS who are subject to The Education (School Teachers' Appraisal) (England) Regulations 2012 and may additionally be used to assess the performance of teachers who are subject to these regulations and who hold qualified teacher learning and skills (QTLS) status. These standards replaced the standards for qualified teacher status (QTS) and the core professional standards, published by the former Training and Development Agency for Schools (TDA), and the General Teaching Council for England's Code of Conduct and Practice for Registered Teachers.

Since 1 April 2012, teachers with qualified teacher learning and skills (QTLS) status have been able to teach in schools as fully qualified teachers. Headteachers have the freedom to decide the standards against which they assess the performance of QTLS holders. Before, or as soon as practicable after the start of each appraisal period, QTLS teachers (like other teachers) must be informed of the standards against which their performance in that appraisal period will be assessed.

- Teachers within HBHS with QTLS will be assessed against The Teachers' Standards (2012)

In order to meet the standards, a trainee or teacher will need to demonstrate that their practice is consistent with the definition set out in the Preamble section of the Teachers' Standards document, and that they have met the standards in both Part One and Part Two of the document.

As teachers' careers progress, they will be expected to extend the depth and breadth of knowledge, skill and understanding that they demonstrate in meeting the standards, as is judged to be appropriate to the role they are fulfilling and the context in which they are working.

3. Teachers' Duty of Care to Pupils

Teachers are required to do all that is reasonable to protect the health, safety and welfare of pupils. Their legal responsibilities derive from three sources:

- the common law duty of care – this is law developed through decisions of the Court rather than that which has been determined by Parliament and set down in statute.
- the statutory duty of care; and
- the duty arising from the contract of employment.

3a. The Common Law Duty of Care

The current standard of care expected of a teacher is that of a reasonable person in the circumstances of a class teacher. It has been recognised that a teacher's duty of care to individual pupils is influenced by, for example, the subject or activity being taught, the age of the children, the available resources and the size of the class. If it can be shown that a professional acted in accordance with the views of a reputable body of opinion within their profession, the duty of care will have been satisfied, even though others may disagree.

A breach of the duty of care by a teacher could amount to common law negligence. Whether teachers are found negligent in the event of accidents will be influenced by whether the incident that occurred could reasonably have been foreseen. If a teacher has taken all reasonable steps to ensure the safety of their pupils, it is unlikely that the teacher will be held to be negligent in the event of an unforeseen accident.

A teacher's duty of care will depend upon what is reasonable and what can be expected of a competent professional acting within the constraints of the circumstances.

Provided teachers apply their professional judgement, training and experience to situations in a reasonable manner and seek to promote the best interests of the pupils in their care, their obligations will have been met.

3b. The Statutory Duty of Care

Teachers are responsible under the Children Act which places statutory duties upon those who care for children.

The Children Act 1989 Section 3 (5) defines the duty of care to the effect that a person with care of a child may do what is reasonable in all the circumstances for the purpose of safeguarding or promoting the welfare of the child.

When issues arise concerning safeguarding or promoting the welfare of children, teachers should take into account the ascertainable needs and wishes of the children as individuals, considered in the light of their ages, understanding and any risk of harm.

3c. Teachers' Duty of Care and Out-of-School Activities

The legal liability of an individual teacher or Principal for an injury which is sustained by a pupil on a school journey or excursion depends on whether the injury to the pupil is a direct result of some negligence or breach of the duty of care on the part of their teacher or Principal. There is no legal liability for any injury sustained by pupils unless there is proven negligence.

The standard of care required of teachers is that which, from an objective point of view, can reasonably be expected from teachers generally applying skill and awareness of children's problems, needs and susceptibilities. The law expects that a teacher will do that which a parent with care and concern for the safety and welfare of his or her own child would do, bearing in mind that being responsible for up to twenty pupils is very different from looking after a family. The legal duty of care expected of an individual teacher is that which a caring teaching profession would expect of itself. In practice, this means that teachers must provide supervision of the pupils throughout school journeys or visits according to professional standards and common sense. Reasonable steps must be taken to avoid exposing pupils to dangers which are foreseeable and beyond those with which the particular pupils can reasonably be expected to cope.

If teachers are concerned about the ability of any of their pupils to undertake any particular activity safely, those pupils should, if necessary, be withdrawn from the activity.

Teachers should not participate in journeys or visits which they believe are not being adequately prepared and organised. Any concerns should be raised with the Principal.

Where journeys are organised within schools, responsibility for establishing that proper preparation has been made and that proper supervision will be provided is ultimately with the Principal. At HBHS, the Principal will prohibit journeys and visits if they are not satisfied with the arrangements made.

All offsite school visits should be planned and carried out in accordance with the Offsite Visits Policy, following approval from the Principal.

Satisfying the duty of care absolves teachers from legal liability. Sometimes accidents occur as a result of the fault of persons with no organising or supervising responsibility for the journey. Some events are accidents, not reasonably foreseeable and not the result of anyone's negligence. Liability goes with fault. In the case of a pure accident, no-one bears liability. No-fault insurance covers this eventuality.

4. Responding to concerns of a child protection nature related to a child (for a full exploration of this concept please refer to HBHS's Child Protection and Safeguarding Policy and Prevent Strategy):

Concerns for a child or young person may come to the attention of staff in a variety of ways for example through observation of behaviour or injuries or disclosure.

Any member of staff who has a concern for a child or young person, however insignificant this might appear to be, should pass this information on via the school's internal safeguarding referral process (CPOMS or via a pink safeguarding form (Appendix 1) or they should highlight this matter with the DSL or one of the deputy DSL's as soon as is practically possible.

More serious concerns must be reported **immediately** the DSL or deputy DSL to ensure that any intervention necessary to protect the child is accessed as early as possible.

Staff can play a vital role in helping children in need or at risk by effective monitoring and record keeping. As such any incident or behavioural change in a child or young person that gives cause for concern should be recorded using the online CPOMS system or by using the pink safeguarding Incident form.

It is important that records are factual and reflect the words used by the child or young person. Opinion should not be given unless there is some form of evidence base which can also be quoted. Records must be signed and dated with timings if appropriate. It is important to remember that safeguarding issues are confidential and on a 'need to know' basis.

5. Child protection concerns involving members of staff (see HBHS's Child Protection and Safeguarding Policy and Prevent Strategy)

If staff members have concerns about another staff member, this must be referred to the Principal (not the DSL). Where there are concerns about the Principal, this must be referred to the Chair of Governors. Furthermore, if the matter pertains to the Principal, staff have the option (in addition to contacting the Chair of Governors) to contact the Local Area Designated Officer (03000 410888).

The framework for managing allegations is set out in *Working together to safeguard children* and the DfE statutory guidance *Dealing with allegations of abuse against teachers and other staff*.

All staff need to be aware that it is a disciplinary offence not to report concerns about the conduct of a colleague that could place a child at risk.

6. Health and Safety at Work

The main responsibility under the Health and Safety at Work Act (HSWA) 1974 rests with employers, who have to take reasonable care for the health and safety of their employees and others on their premises. Employers are required to organise, control, monitor and review how health and safety measures are managed. They must assess risks, record their assessments of risks, and inform employees of safety procedures.

The duty on employers includes taking reasonable care for both the physical and mental health of their employees. This means that employers should assess the risks to teachers of excessive workload, pupil behaviour and the conduct of other staff.

All employees have a duty under the Health and Safety at Work Act (HSWA) 1974 to take reasonable care for the health and safety of themselves and others who may be affected by their acts or omissions at work. Thus, teachers have a duty to take reasonable care of both their own and their pupils' health and safety at school (Section 7 of the HSWA). Teachers should comply with any guidance on health and safety issues and make sure they are familiar with any such guidance (Section 7). They should act with reasonable care at all times and apply good sense to everything they do, including not taking any unnecessary risk or doing anything that is potentially dangerous. It is unlawful (Section 8 of the HSWA) to interfere with, or misuse, either intentionally or recklessly, anything which has been provided for the purposes of health and safety. Examples of this include propping open fire doors and blocking fire exits.

All employees, including teachers, have a duty to report any hazards and potentially dangerous incidents at work and teachers.

It can be important, for example, to report what might seem to be minor matters requiring cleaning up or minor repair (this should be reported to the main office or a member of the premises' team or any appropriate member of staff). Seemingly minor matters can cause serious accidents, for example, wet patches or rubbish on the floor could cause slips, trips or falls.

7. Physical Contact with Pupils

In 2013 the DfE issued revised non-statutory guidance to all schools: 'Use of reasonable force – Advice for head teachers, staff and governing bodies.' <https://www.gov.uk/government/publications/use-of-reasonable-force-in-schools>

The advice states that it is not illegal to touch a pupil. There are occasions when physical contact, other than reasonable force, with a pupil is proper and necessary e.g. when a pupil is being congratulated or praised; to

demonstrate how to use a musical instrument; to demonstrate exercises or techniques during PE lessons or sports coaching; to give first aid.

Staff should always avoid touching or holding a pupil in a way that might be considered indecent or compromising. Furthermore, staff should consider what may be deemed 'proper and necessary' prior to touching pupil, and thus be judicious in their physical contact with pupils.

8. Power to use reasonable force

Please refer to Appendices 4, 5 and 6 of the Behaviour for Learning Policy for this section.

9. Protecting Children from Abuse - Teachers' Responsibilities

Teachers should be familiar with the procedures within HBHS for dealing with suspected child abuse, see HBHS's Child Protection and Safeguarding Policy. Concerns or suspicions of a safeguarding/child protection nature must be reported to the Designated Safeguarding Lead (DSL) or a deputy DSL as detailed in the Child Protection and Safeguarding Policy.

If staff members have concerns about another staff member, this must be referred to the Principal (not the DSL). Where there are concerns about the Principal this must be referred to the Chair of Governors. Furthermore, if the matter pertains to the Principal, staff have the option to contact the Local Area Designated Officer (03000 410888).

Further information regarding the statutory guidance on how employers should deal with allegations of abuse against teachers and other staff can be access via the Principal and at:

[Allegations of abuse against teachers and non-teaching staff - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

All staff need to be aware that it is a disciplinary offence not to report concerns about the conduct of a colleague that could place a child at risk. When in doubt – consult.

10. Teachers' Power to Discipline

The DfE guide entitled Behaviour and Discipline in Schools - Advice for headteachers and school staff (2016) [Behaviour and discipline in schools - GOV.UK \(www.gov.uk\)](http://www.gov.uk) covers key issues pertaining to behaviour and discipline in schools, with the purpose of this document being to provide an overview of the powers and duties for school staff.

The key points detailed in the document are:

- Teachers have statutory authority to discipline pupils whose behaviour is unacceptable, who break the school rules or who fail to follow a reasonable instruction (Section 90 and 91 of the Education and Inspections Act 2006).
- The power also applies to all paid staff (unless the Principal says otherwise) with responsibility for pupils, such as teaching assistants.
- Teachers can discipline pupils at any time the pupil is in school or elsewhere under the charge of a teacher, including on school visits.
- Teachers can also discipline pupils in certain circumstances when a pupil's misbehaviour occurs outside of school.
- Teachers have a power to impose detention outside school hours.

- Teachers can confiscate pupils' property.

10a. Punishing poor behaviour - What the law allows:

Teachers can discipline pupils whose conduct falls below the standard which could reasonably be expected of them. This means that if a pupil misbehaves, breaks a school rule or fails to follow a reasonable instruction, the teacher can impose a punishment on that pupil. To be lawful, the punishment (including detentions) must satisfy the following three conditions:

- 1) The decision to punish a pupil must be made by a paid member of school staff or a member of staff authorised by the Principal;
- 2) The decision to punish the pupil and the punishment itself must be made on the school premises or while the pupil is under the charge of the member of staff; and
- 3) It must not breach any other legislation (for example in respect of disability, special educational needs, race and other equalities and human rights) and it must be reasonable in all the circumstances.

A punishment must be proportionate. In determining whether a punishment is reasonable, section 91 of the Education and Inspections Act 2006 says the penalty must be reasonable in all the circumstances and that account must be taken of the pupil's age, any special educational needs or disability they may have, and any religious requirements affecting them.

Corporal punishment is illegal in all circumstances.

Schools should consider whether the behaviour under review gives cause to suspect that a child is suffering, or is likely to suffer, significant harm. Where this may be the case, school staff should follow the schools' safeguarding policies. They should also consider whether continuing disruptive behaviour might be the result of unmet educational or other needs. At this point, the school should consider whether a multi-agency assessment is necessary - advice can be given by the DSL.

10b. Detentions - What the law allows:

Teachers have a power to issue detention to pupils (aged under 18).

Legally, parental consent is not required for detentions. Although within HBHS we feel it is appropriate to inform parents/carers of any detentions and as such this policy wishes to clarify that parents/carers should be informed of any after school detention that lasts longer than 20 minutes by 2.30pm on the same day.

With lunchtime detentions, staff should allow reasonable time for the pupil to eat, drink and use the toilet.

10c. Detentions outside school hours

School staff should not issue a detention where they know that doing so would compromise a child's safety. When ensuring that a detention outside school hours is reasonable, staff issuing the detention should consider the following points:

- Whether the detention is likely to put the pupil at risk.
- Whether the pupil has known caring responsibilities which mean that the detention is unreasonable.

- Whether suitable travel arrangements can be made by the parent/carer for the pupil.

10d. Confiscation of inappropriate items - What the law allows:

The following section relates to the DfE guide entitled Behaviour and Discipline in Schools - Advice for headteachers and school staff (2016) and 'Searching, screening and confiscation Advice for headteachers, school staff and governing bodies (2018)'.

There are two sets of legal provisions which enable school staff to confiscate items from pupils:

- 1) The general power to discipline enables a member of staff to confiscate, retain or dispose of a pupil's property as a punishment, so long as it is reasonable in the circumstances. The law protects them from liability for damage to, or loss of, any confiscated items provided they have acted lawfully (see Section 94 of the Education and Inspections Act 2006).
- 2) Power to search without consent for "prohibited items" (See Section 550ZA (3) of the Education Act 1996) including:
 - knives and weapons
 - alcohol
 - illegal drugs
 - stolen items
 - tobacco and cigarette papers
 - fireworks
 - pornographic images
 - any article that has been or is likely to be used to commit an offence, cause personal injury or damage to property; and
 - any item banned by the school rules (see below for the list of banned items) which has been identified in the rules as an item which may be searched for.

The legislation sets out what must be done with prohibited items found as a result of a search - weapons and knives and child pornography must always be handed over to the police, otherwise it is for the school to decide if and when to return a confiscated item.

Telling parents and dealing with complaints (*what the guidance dictates*) - see 'Searching, screening and confiscation Advice for headteachers, school staff and governing bodies (2018)': [Searching, screening and confiscation \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

- Schools are not required to inform parents before a search takes place or to seek their consent to search their child.
- There is no legal requirement to make or keep a record of a search.
- Schools should inform the individual pupil's parents or carers when alcohol, illegal drugs or potentially harmful substances are found, though there is no legal requirement to do so.
- Complaints about screening or searching should be dealt with through the normal school complaints procedure.

There is an expectation that the searcher must be the same sex as the pupil being searched and that there should also be a witness who, if possible, should be the same sex as the pupil being searched. There is a limited exception to this rule. Someone can carry out a search of a pupil of the opposite sex to themselves and / or without a witness present, where the person reasonably believes that there is a risk that serious harm will be caused to a person if they do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff.

It is unlikely that a member of staff from beyond the central pastoral teams will search a student. As such, whenever possible, staff should liaise with a member of this team before considering searching a student as they will be given advice and support and it is likely the search will be carried out by the people designated above in an area conducive to the search being carried out.

It should be noted that HBHS has rarely, if ever, needed to carry out a search without firstly gaining the student's consent (in cases where a student is believed to have a "prohibited item" see section 10d2 in their possession). If it is deemed appropriate to search a student and the student fails to empty their pockets or allow their bags to be searched etc. then contact should be made with home - this has proved sufficient for the student to comply fully with the search. It should be noted that a student may only be instructed to remove their outer clothing such as a hat, coat or shoe for the purposes of a search.

In circumstances where a student is believed to have a "prohibited item" see s10d2 in their possession, and they fail to comply with the search and their parents/carers fail to support the search or manage to get their child to comply with the search the school will consider involving the police. Note – that although school staff have the legal right to search the student without consent, the school's preferred position is that the police would be called. However, it should be noted that the school still retains the right to search the student without consent - in such circumstances a school leader should be contacted.

The following are the items that the school bans, these are in addition to the list of "prohibited items" that the Department for Education deem unacceptable for a student to bring into school - see section 10d2 for the list of "prohibited items":

Banned items within Herne Bay High School:

- Drug paraphernalia
- Matches or lighters
- Solvents
- E-cigarettes
- Vapes and associated liquids
- Smoking paraphernalia
- New Psychoactive Substances., formerly known as 'legal highs'
- Energy drinks
- Fizzy drinks
- Chewing gum
- Laser pens
- Shisha pens
- Catapults
- Guns of any kind including replicas and BB guns
- Offensive material (pornographic, homophobic, racist etc.)
- Permanent markers

Note - Force cannot be used to search for items banned under the school rules

[Searching, screening and confiscation \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) - The government's 'Searching, screening and confiscation at school' guidance includes a section, 'Statutory guidance for dealing with electronic devices' - staff may lawfully search electronic devices, without consent or parental permission, if there is a suspicion that the pupil has a device prohibited by school rules, or the staff member has good reason to suspect the device may be used to:

- cause harm
- disrupt teaching
- break school rules

- commit an offence
- cause personal injury or
- damage property.

Any data, files or images that are believed to be illegal must be passed to the police as soon as practicable, including pornographic images of children, without deleting them.

Any data, files or images that are not believed to be unlawful may be deleted or kept as evidence of a breach of the school's behaviour policy.

11. Anti-Discrimination Law and Human Rights

11a. Anti-Discrimination Law and Human Rights – Pupils

Discrimination law is mainly contained in the Equality Act 2010 - The law prohibits discrimination against pupils on grounds of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation. These are referred to as 'protected characteristics'.

It is unlawful to discriminate against a pupil directly or indirectly with a 'protected characteristic'.

Direct discrimination is where a person is treated less favourably because of his or her protected characteristic, in circumstances where another person without his or her protected characteristic is treated or would have been treated more favourably. Direct discrimination takes many forms. In the treatment of pupils and students, for example, it may vary from crude remarks to subtle differences in assessment, expectation, provision and treatment. It may be unconscious or even well-intentioned but still unlawful.

Indirect discrimination is more complex. This is where a provision, criterion or practice, although applied equally to everyone, puts people with a particular protected characteristic at a disadvantage and cannot be justified objectively.

'Justified objectively' means, in an educational context, justifiable on educational or other grounds. It is a question of fact in each case. An example of indirect race discrimination, based on a case heard by the House of Lords, there was a requirement to wear a cap as part of a school uniform. Although applied equally to all pupils, it had the effect of excluding Sikh boys from the school and was not justifiable on educational grounds.

Pupils are protected from discriminatory harassment on grounds of their protected characteristics. They are also protected from victimisation i.e., from detrimental treatment on grounds that they have, for example, made a complaint of discrimination.

11b. Anti-Discrimination Law and Human Rights – Teachers

Teachers are protected from discrimination in employment on grounds of age, disability, marital or civil partnership status, maternity/pregnancy, race, religion or belief, sex, sexual orientation, trade union membership or activity, trans status and by reason of working part-time or on a fixed-term contract. It is unlawful for employers to discriminate in recruitment or selection procedures, or to treat employees differently, in ways that amount to direct or indirect discrimination. Discrimination might occur, for example, in promotion opportunities or training; access to benefits or services; in disciplinary, grievance or other procedures; or in dismissal or other detrimental treatment. Teachers are protected from direct and indirect discrimination, victimisation and harassment. Employers must take steps to avoid discrimination in contractual provision and working practices and must take steps to prevent teachers from being harassed by colleagues, parents or pupils.

Teachers, like other employees, can raise grievances and bring complaints to employment tribunals about unlawful discrimination or harassment.

12. Criminal Records and Suitability to Work with Children

When appointments are offered, all staff are subject to an Enhanced Disclosure from the Disclosure and Barring Service (DBS) with Barred List checks. [Quick Guide to DBS Checks.pdf \(publishing.service.gov.uk\)](#)

An Enhanced disclosure check shows full details of a person's criminal record such as cautions, reprimands, warnings, spent and unspent convictions. The check also searches the DBS Children's Barred List or the DBS Adult First checks where appropriate to ensure the applicant is not banned from working with either group.

Local police can also add any information about a person that is relevant to their application.

For each conviction, the following information is included:

- Date of conviction
- Court details
- Offence details
- Date of offence
- Sentence given

In addition, police hold the right to include any additional information on file that they see as relevant to the check.

Teaching posts are exempted from the provisions of the Rehabilitation of Offenders Act 1974 under which 'spent' convictions do not need to be disclosed to employers. Teachers should therefore inform a prospective employer of any convictions when requested, unless the conviction has been removed by the DBS from a disclosure certificate as old and minor.

Teachers will generally be carrying out work that is classed as 'regulated activity'. 'Regulated activity' is a legal phrase, which appears in the Safeguarding Vulnerable Groups Act 2006 and refers to activities that involve working with children on a frequent, intensive or overnight basis. The significance of carrying out regulated activity for teachers is that employers will be required by law to obtain a DBS certificate where:

- the individual has been employed since March 2002 and has had a break in service of three months or more; or
- the individual has been employed since May 2006.

13. Addition information re. HBHS's expectations of its staff:

- I. All staff are expected to behave professionally and exercise confidentiality.
- II. All staff are expected to treat students and each other with respect.
- III. All staff must subscribe to the school's commitment to keeping students safe as detailed in the school's Child Protection and Safeguarding Policy and Prevent Strategy and be conversant with the processes regarding reporting safeguarding concerns about students and staff.
- IV. All staff are expected to follow the school's policies including behaviour and anti-bullying in all interactions in school.
- V. All staff must abide by the ICT acceptable usage expectations.
- VI. All staff should treat resources responsibly and exercise due financial care.
- VII. Conduct outside of work:

- a. 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. Any such conduct could lead to dismissal. In particular, criminal offences that involve violence or possession or use of illegal drugs or sexual misconduct are likely to be regarded as unacceptable and could lead to dismissal.
 - b. Staff must exercise caution when using information technology and be aware of the risks to themselves and others. School staff should not befriend students on Facebook or other social networking, photo/file sharing platforms or environments not hosted and moderated by the school, or 'follow' or be 'followed' by students.
 - i. There may be circumstances where a member of staff wishes to discuss this matter further due to their personal circumstances e.g., being a family member, if this is the case, they should discuss this matter with the Senior Vice Principal or the Principal.
- VIII. Staff should refer to the school's Communication Policy re. issues pertaining to communicating to outside stakeholders.
- IX. Staff should only email students at the student's Herne Bay High School email address and only from the staff member's 'hernebayhigh.org' email address, therefore no communication is permitted to flow from or to any personal/non-Herne Bay High School email addresses.
- X. All HBHS staff should ensure that any communication with students, colleagues, parent/carers and others is appropriate.
- XI. Staff may undertake work outside school, either paid or voluntary, provided that it does not conflict with the interests of the school and is not to a level which may contravene the working time regulations or affect an individual's work performance.
- XII. All members of staff must declare any business interests outside of school that may be connected either to the supply of goods / services to the school or be rewarded through association with the school.
- XIII. Where staff have access to confidential information about students or their parents/carers, staff must not reveal such information except to those colleagues who have a professional role in relation to the student.
- XIV. All staff are likely at some point to witness actions which needs to be reported and dealt with in accordance with the appropriate school procedure and must be conversant with the school's Whistleblowing Policy, see below for a summary of the referral processes:

Passing on safeguarding concerns - What **must** I do?

What must I do if I have a **SAFEGUARDING** concern about a **CHILD**?

You **MUST** inform a Designated Safeguarding (DSL) via CPOMS, or fill in a pink safeguarding form and hand it to Kelly in the office. **If a child is at immediate risk please speak to a DSL, in person, straight away.** If you wish to discuss a safeguarding issue or require clarification re. anything related to safeguarding then please speak to a DSL.

- Our DSLs are Chris Harris (Senior DSL), Abby Golding, Miriam Hobbs, Brian Jones, Stacey Jones, Kelly Molloy, Scott Waters, Laura Wrigley

What must I do if I have a **SAFEGUARDING** concern about a member of **STAFF**?

You **MUST** inform the Principal directly **NOT** a Designated Safeguarding Lead (DSL) – ideally you will speak to Mr Boyes in person, alternatively you can log a concern on *CPOMS Staff* or fill in a pink safeguarding form and hand it directly to Mr Boyes or pass it to Kelly Molloy in the office who will pass it on to Mr Boyes.

What must I do if I have a **SAFEGUARDING** concern about the **Principal (Jon Boyes)**?

You **MUST** inform the Chair of Governors - Amy Ansell (a.ansell@hernebayhigh.org) or ask Kellyanne Eagle (Clerk to the Governors) to get Amy to contact you. If you believe there to be a conflict of interest in reporting your concern to the Chair of Governors, you should contact the Local Area Designated Officer (LADO) at Kent County Council on 03000 41 08 88.

What must I do if I have a concern relating to any **wrongdoing at any level**?

- *Wrongdoing in this context means that an employee has a reasonable belief that there is a breach of a legal obligation, a risk to health and safety, a criminal offence has been or is being committed, a miscarriage of justice is occurring or likely to occur, there is damage to the environment or an attempt to conceal any of the above - and that disclosure is in the public interest.*

Any initial concern should be raised with the Principal (Jon Boyes). However, if it is not appropriate to raise your concern with the Principal then you should contact the Chair of Governors (Amy Ansell – see contact details above) who will ensure that your concern is properly addressed. Employees are expected to raise concerns internally, however if you do not feel it to be appropriate to raise your concern internally, you can use any of the following contacts: the Local Area Designated Officer (LADO) at Kent County Council (03000 41 08 88), the Department for Education (DfE), Ofsted or the Education Skills and Funding Agency.

- XV. Teachers and support staff need to exploit the potential of the curriculum to develop a proactive approach to behaviour and safeguarding issues and to reinforce British Values of democracy, the rule of law, individual liberty, and mutual respect for and tolerance of those with different faiths and beliefs
- XVI. All staff should take care of their physical and mental wellbeing
- XVII. There may be occasions when it may be necessary for staff to work on a one-to-one basis with students, although this should be planned against as much as possible. On such occasions staff must take all reasonable steps to safeguard the student and themselves as much as is practicable. Safeguards should include:
- a. Endeavouring to work with the student in a room or area where other adults and students are present
 - b. Not working with the student in an isolated part of the school
 - c. If the above is not possible e.g., there is a need to access particular resources and/or equipment that are only accessible in one particular area, the member of staff should keep the door open, and inform a colleague, ideally their Head of Department, that this support is taking place. Whilst supporting the student, the member of staff should be mindful of the need to ensure that no action of theirs, either physical or verbal, could be misconstrued by the student.
 - d. Should the member of staff sense that the student is misconstruing the support that they are being offered, the session should be stopped in a manner that does not heighten any concern, and the member of staff should inform the DSL/deputy DSL as soon as is practicable.
- XVIII. Staff must email afterschool@hernebayhigh.org and list any student(s) staying behind with them or in their area or for whom they have responsibility at the start of the after-school session.
- XIX. Staff giving students lifts in their own car or meeting students outside of school or engaging with a student in a manner that would not be perceived as the norm i.e., beyond that which occurs within a normal school day on the school site or on a recognised visit.
- a. Any issue about entering into a one-off or enhanced student/staff engagement/arrangement (for instance giving a lift to a friend's child to school), must be discussed with the Head of School or the Principal.
- XX. The school operates a formal business dress approach for all teaching, support and office staff and the wearing of jeans or casual wear is deemed inappropriate. Members of other teams within the school including site staff, catering staff and cleaners should liaise with their line manager regarding their required dress code.
- a. Should there be circumstances where a member of staff wishes to dress more informally, they should discuss this matter with the Principal.

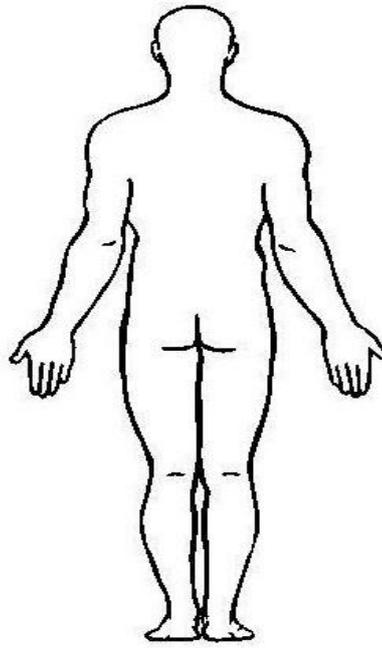
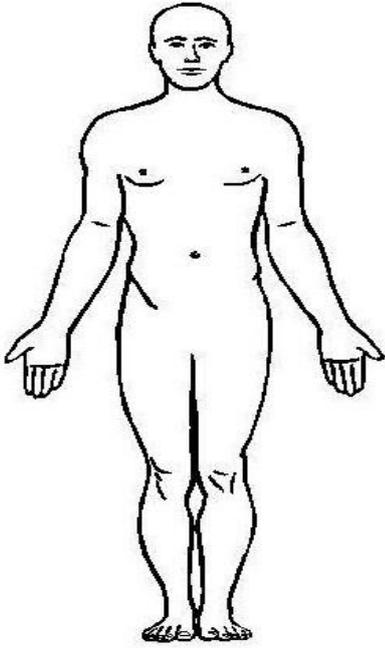
Appendix 1**Safeguarding Incident/Concern Form**

Student's name:	Date of birth: Mentor group:
Name and position of person completing the form (please print)	
Date of incident/concern (dd/mm/yy)	
Incident/concern* (who, what, where, when)– use the 'Body Map' over page as appropriate to indicate any concerns	
Any other relevant information* (witnesses, immediate action taken)	
Action taken*	
Signature	Date form completed (dd/mm/yy)

*continue on a separate sheet if required

Confidential Body Map

Please highlight any (a)bruises (b)cuts/wounds (c)red areas (d)scalds/burns or (e)other concerns – please use the relevant letter from above as a key



Description of marks	
Name and position of person completing the form (please print)	
Date of incident/concern (dd/mm/yy)	
Signature	Date form completed (dd/mm/yy)