



PEPONI SCHOOLS

Staff Code of Conduct

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I. Introduction

Our Code of Conduct for staff working with young people reflects the DfE guidance, in particular 'Preventing and Tackling Bullying' (DfE July 2017), Staffing and Employment Advice for Schools' (DfE, 2021) Guidance for safer working practices for those working with children and young people in education settings February 2022 Safer Recruitment Consortium) and 'Keeping Children Safe in Education' (DfE, 2023), as well as any relevant documentation held within the Kenyan context. The Code of Conduct applies to all staff at Peponi House Whilst this advice is intended primarily for teachers it provides guidelines on the prevention of allegations of abuse against all staff.

This policy should be read in conjunction with the policies listed below:

- i. Behaviour and Discipline Policy
- ii. Child Protection and Safeguarding Policy
- iii. Physical Intervention (Positive Handling) Policy
- iv. Technology Acceptable Use Policy for Staff
- v. Online Safety Policy
- vi. Low-Level Concerns Policy
- vii. Whistleblowing
- viii. The Staff Handbook

Responsibilities

Staff are accountable for the way in which they: exercise authority; manage risk; use resources; and safeguard children and young people.

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children. They should adopt high standards of personal conduct in order to maintain the confidence and respect of the general public and those with whom they work. Staff should be aware that their behaviour, either in or out of the workplace and including with regard to their own children, or children or adults in the community, could compromise their position within the school in relation to the protection of children, loss of trust and confidence, or bringing the school into disrepute.

The School's expectation is that all pupils receive the highest possible quality of teaching and learning within a positive and respectful environment.

It is important, therefore, that staff understand that their own behaviour and the manner in which they conduct themselves with their colleagues, pupils, parents and other stakeholders sets an example and affects the school environment.

The School recognises that the majority of staff always act in an appropriate manner and treat others with dignity and respect. However, we consider it important to make clear the standards we expect from staff so that misunderstandings and/or misinterpretations of rules are kept to a minimum.

This Code of Conduct for staff working with young people is intended to set out our expected standards of conduct, our rules and values. It applies to all staff, regardless of status. It is not an exhaustive compilation of what staff can and cannot do but it is hoped that it will ensure everyone is clear about what is acceptable and what is not.

The Code is binding on all school staff. Breaches of the Code and the standards expressed in it could result in disciplinary action, including dismissal for serious offences. We hope, of course, that such action will not be necessary and that all staff will ensure they read the Code and act in accordance with it.

2. General Standards and Expectations

Staff should take care that their relationships with pupils reflect the age, gender and maturity of the pupils. It will be particularly important to ensure that all aspects of demeanour, language and attitudes – however conveyed – do not give rise to misunderstandings, especially when dealing with adolescent pupils.

Ambiguous or ambivalent comments and conduct, in particular, should be avoided.

Members of staff are expected to:

- i. Work towards and encourage the highest possible level of achievement for all pupils
- ii. Value and respect all pupils equally, treating them in a polite, positive, responsive and considerate manner
- iii. Apply the School's Behaviour Policy as situations demand to encourage and develop appropriate behaviours
- iv. Ensure that items confiscated from pupils are left in a safe place, ideally labelled and locked away. Parents should be informed about when items will be returned
- v. Act in accordance with the School's Child Protection and Safeguarding Policy
- vi. Ensure that professional boundaries are not breached and behaviour that could be misinterpreted or otherwise leave one vulnerable to allegations of inappropriate behaviour should be avoided

3. Power and positions of trust and authority

Staff must avoid:

- i. using their position to gain access to information for their own advantage and/or a pupil's or family's detriment;
- ii. using their power to intimidate, threaten, coerce or undermine pupils;
- iii. any form of communication with a pupil which could be interpreted as sexually suggestive, provocative or give rise to speculation e.g. verbal comments, letters, notes, by email or on social media, phone calls, texts, physical contact;
- iv. making (or encouraging others to make) unprofessional personal comments that scapegoat, demean, discriminate or humiliate, or might be interpreted as such;
- v. using inappropriate language to or in the presence of pupils;
- vi. any form of touch or comment which is, or may be considered to be, sexual or indecent;
- vii. behaving in a manner which would lead any reasonable person to question their suitability to work with children or to act as an appropriate role model;
- viii. using their status and standing to form or promote relationships with pupils which are of a sexual nature, or which may become so;
- ix. making (or encouraging others to make) sexual remarks to, or about, a pupil;
- x. discussing sexual matters with or in the presence of pupils other than within agreed curriculum content or as part of their recognised job role; and
- xi. discussing their personal or sexual relationships with or in the presence of pupils.

4. Alcohol, drugs and other substances

Staff must not, while at work, consume or be under the influence of alcohol or any substance, including prescribed medication, which may have an adverse effect on their ability to carry out their role safely. If members of staff are taking medication which may affect their ability to care for pupils, they should seek medical advice. The School must ensure that those members of staff only work directly with pupils if medical advice confirms that the medication is unlikely to impair that staff member's ability to look after pupils properly. Staff medication on the premises must be securely stored, and out of reach of pupils, at all times.

5. Appearance and Dress

It is expected that staff:

- i. when at work, or representing the School, ensure that their appearance is neat and clean
- ii. always dress in a manner which is appropriate to their role and the circumstances or setting in which they work
- iii. remember that they are a role model for pupils and their appearance and dress should reflect this important and unique position
- iv. do not dress in a way that may cause embarrassment to pupils, parents, colleagues, other stakeholders, or visitors. (e.g. consider the appropriateness of T-shirts with slogans).

Ultimately, it will be for the Head to decide whether a member of staff's appearance and/or dress is appropriate or not.

The Head must ensure that the rights of employees to dress as they please, and in accordance with their principles and beliefs, is balanced with the need for the School to promote a suitable image to its stakeholders. At all times, care will be taken not to discriminate in relation to appearance and dress requirements. More information is available in the Staff Handbook.

6. Curriculum

Staff should not enter into or encourage inappropriate discussion which may offend or harm, undermine the Fundamental British Values of Democracy, the Rule of Law, Respect, Tolerance and Individual Liberty, express prejudiced views or attempt to impose their personal values, attitudes or beliefs on pupils. Staff should not discriminate against or act in ways which are discriminatory towards any pupil, especially with respect to the protected characteristics of: age, disability, gender, pregnancy or maternity, race, religion or belief.

7. Physical Contact

Physical contact may be misconstrued by a pupil, parent or observer. Touching pupils, including well-intentioned informal and formal gestures such as putting a hand on the shoulder or arm, can, if repeated regularly, lead to questions being raised. Staff must not make gratuitous physical contact with pupils and should avoid attributing 'touching' to their teaching style as a way of relating to pupils.

There will be occasions when physical contact will be considered acceptable. In general, these will fall into one of three categories:

- i. Action to prevent harm, or injury to the pupil or to others.
- ii. If it is necessary to prevent a pupil from causing injury to herself/himself or to others the use of minimum force and contact necessary to prevent harm or injury is acceptable and defensible. Such incidents must always be reported (see below).
- iii. Comforting a pupil in distress.
- iv. There will be occasions in accordance with the Intimate Care Policy.

There is no easy definition of what is acceptable since much will depend on the circumstances, the age of the pupil, the extent and cause of the distress and the alternative means of providing comfort. All staff will need to use their professional judgement and discretion in relation to these factors. Staff should consider how others might perceive the action, even if no one else is present, and ensure that it does not develop into unnecessary contact. Particular care must be taken in circumstances which involve the same pupil over a period of time; and be aware of cultural or religious views about touching and be sensitive to issues of gender.

Whilst reporting of incidents is always advisable, it is particularly important to ensure that a contemporary written record is made if any form of restraint has been used against a pupil or whenever a pupil, parent or third party has complained about an action or expressed an intention to complain.

8. Intimate and personal care

Staff must adhere to the school's Intimate Care Policy or equivalent and associated procedures.

9. Unavoidable contact

This is a particularly sensitive issue in subjects such as Physical Education and Drama and in some forms of skills coaching. All teachers must be alert to the possibility of misinterpreting any contact. To avoid such misunderstanding all planned contact must be demonstrably unavoidable. Staff must adhere to the School's Physical Intervention (Positive Handling) Policy.

It may be, for example, that alternative methods involving demonstrations of particular techniques by the teacher or a particularly competent pupil may be more appropriate than modifying a pupil's technique by physical contact. It will generally not be acceptable for physical contact to take place between adolescent pupils and teachers. In cases of doubt or uncertainty, staff should seek advice from the Head of Department.

There are other occasions when physical contact may be questioned even if innocent or unintentional. Staff should therefore ensure that they recognise the possibility that their actions are open to misinterpretation and to the scrutiny of colleagues.

Individual professional judgements will be required about the level of physical contact with individual children which will take account of their age, circumstances and background.

10. Behaviour Management

Staff must adhere to the School's Behaviour Policy. Any form of physical punishment is prohibited under disciplinary procedures and potentially actionable in law. This also applies to any form of physical response to misbehaviour, with the exceptions noted in the 'Unavoidable contact' section above.

The School has a Physical Intervention (Positive Handling) Policy which all staff must adhere to. This policy is consistent with local and national guidance and details how and when physical interventions should be reported and recorded.

11. Private Meetings

Private meetings, by their very nature, provide opportunities for pupils to make malicious allegations. Teachers and others must therefore recognise this possibility and plan such meetings accordingly. It is advisable to avoid remote areas of the School and to ensure that wherever possible the door is left open or visual contact with others is maintained. Under no circumstances should meetings with individual pupils be arranged off the School premises without the prior approval of the Head or a senior colleague with delegated authority to approve such meetings.

This includes, but is not limited to, the transporting of individual pupils in private cars as well as pupils being invited into staff member's personal living accommodation in a boarding house. Such meetings should, in any event, be discouraged.

Where it is not possible to meet in the circumstances referred to above, another member of staff should be told of the meeting beforehand. Steps to prevent others from entering a room by the use of 'Meeting in Progress' may be open to misinterpretation. In many cases it will be advisable for another pupil or adult to be present or in a position to minimise risk during the meeting.

12. Home visits

All work with pupils and parents should usually be taken in the school or setting. There are occasions, however, in response to an urgent, planned or specific situation or job role, where it may be necessary to make a one-off or regular home visit.

The purpose of the home visit should be agreed with the staff member's line manager.

Where a home visit is necessary, a risk assessment and associated protective measures should be implemented prior to the home visit taking place. This should include, but would not be limited to, an evaluation of any known factors regarding the pupil, parents/carers and any other members of the household and consideration of any circumstances which might render the staff member(s) becoming more vulnerable to an allegation being made. Specific thought should also be given to visits outside of usual school hours and to remote or secluded locations.

Detailed records of the home visits should be made including times of arrival and departure. Any behaviour or situation that has given rise to any concern should be discussed with the staff member's line manager.

13. First Aid

The existence of any life-threatening or serious condition will determine the suitability and necessity of physical contact. In the absence of such justification, staff who administer first aid should ensure that, wherever possible, other pupils or another adult can be present if there is any doubt over the possibility of any physical contact being misconstrued.

14. Comments and Discussions with pupils

Staff must avoid making comments to or about pupils which could be taken to have sexual overtones. It is equally unacceptable for staff to encourage debate and discussion between groups of pupils, which could be interpreted as having sexual overtones and are not justified in the context of the teaching programme. It will be especially helpful if Schemes of Work highlight particular areas of risk and sensitivity. Specific guidance may be needed to assist newly qualified or other teachers who are new to this area of work. This will call for the exercise of careful judgment in responding to questions raised by pupils.

Notwithstanding the advice given above, it is recognised that, in order to fulfil particular pastoral responsibilities, staff may from time to time need to engage in conversation with pupils which covers sensitive matters.

Teachers must use their professional judgement to ensure that they are not drawn into areas inappropriate to their duties or their relationship with the pupils concerned. Staff must also use their discretion to ensure that, for example, any probing for details cannot be construed as unjustified intrusion.

In responding to individual pupils' distress, staff will need to consider carefully whether they should offer advice, sympathy or counselling if a discussion enters a sensitive area or, alternatively, refer them to a colleague or agency who is better placed to offer appropriate advice. The persistent and hurtful use of sarcastic, demeaning or insensitive comments towards young people may also be regarded as a form of abuse which is potentially very damaging and should be avoided.

15. Infatuations and Crushes

These unfortunately do develop and can involve pupils and teachers of both sexes. They need to be handled sensitively. Careless and insensitive reactions have been known to provoke false accusations. It is therefore in the interest of all parties to avoid adding to the pupil's problems by encouraging the crush or making jokes about the situation. In such situations, the advice of a senior colleague must be sought. Other members of staff have a part to play, too, in alerting a colleague to the possibility of an infatuation in order

that appropriate steps can be taken to minimise hurt and distress and the risk to the teacher concerned. Whilst the risk of infatuation is not limited to younger members of staff, newly qualified teachers must recognise that they are particularly vulnerable to adolescent infatuation.

16. Gifts, rewards, favouritism and exclusion

The School acknowledges that there are occasions when pupils or parents wish to pass small tokens of appreciation to staff and this is usually acceptable. However, it would be unacceptable for these to be given on a regular basis or to be of any significant value.

Similarly, it would be inadvisable for staff to give such personal gifts to pupils or their families. This could be interpreted as a gesture either to bribe or groom. It might also be perceived that a 'favour' of some kind is expected in return. Any reward given to a pupil should be in accordance with the School's Behaviour, Rewards and Sanctions Policy.

Staff should exercise care when selecting pupils for specific activities, jobs or privileges in order to avoid perceptions of favouritism or injustice. Similar care should be exercised when pupils are excluded from an activity. Methods of selection and exclusion should always be subject to clear, fair and agreed criteria.

17. Boarding Houses

When visiting a boarder who is on their own in their own room, staff should leave the door open or stand in the doorway with the door open. Private conversations with pupils, where required, should take place in a neutral space, such as the Common Room of the boarding house, and an area which is routinely accessed by other staff and boarding pupils.

When boarding pupil welfare checks are carried out, all the rooms should be checked, including those which are assumed to be empty. When carrying out a welfare check, staff should knock first, allowing sufficient time for a pupil response before entering such areas.

To protect both pupils and staff, pupils should not visit staff accommodation, except when they are a child of the member of staff.

All boarding staff must refer to and adhere to the measures outlined in the House Staff Handbook.

18. Residential, Out of School and After-School Activities

Staff should take particular care when supervising pupils in the less formal atmosphere of a residential setting or after-school activity. The more relaxed relationships that may promote successful activities can be misinterpreted by young people. It is important to emphasise that the standards of professional conduct and behaviour expected of staff should be no different to that which applies within the School. Staff should be aware of the particular care which should be taken with older, more mature pupils in these circumstances.

19. Teaching Materials

The use of media of an explicit or sensitive nature, particularly in relation to language or sexual behaviour must be given careful consideration to ensure that its selection is not subsequently misinterpreted. There should always, therefore, be a clear link with the targets of the teacher's programme.

20. Reporting Malpractice and Improper Conduct

Staff should report any concerns that they may have, following any incident where they feel that their actions may have been misinterpreted. This report should be made to the Head as soon as possible after the incident and should include as an immediate follow-up, the preparation of a written note of the incident, a copy of which should be given to the Head.

If a member of staff has concerns about a colleague which does not reach the “harms” test, then this should be referred to the Head or Designated Safeguarding Lead (DSL) using the appropriate Low-Level Concerns Policy. Concerns that meet the “harms” threshold should be reported as an allegation to the Head. Where there are concerns about the Head this should be referred to the Board.

Where a member of staff feels unable to raise a concern with the employer or feels concerns are not being addressed, they should refer to the Whistleblowing Policy for guidance on how to act.

21. Communication with children (including the use of technology)

Staff should not request or respond to any personal information from pupils other than which may be necessary in their professional role.

It will rarely be appropriate for staff to write personal notes or letters, or to send an email/text, to individual pupils' personal accounts. If a member of staff believes it to be necessary to write a personal note to a pupil, he/she should discuss the purpose and context with a senior colleague, who should refer to the Head or Designated Safeguarding Lead (DSL) if they require further advice.

All teachers and other adults using email to communicate with pupils need to be aware of the less formal style that can characterise this form of communication and should ensure that responses do not convey an inappropriate tone. In particular, a friendly and chatty style committed to email can easily be misconstrued by the recipient as the ‘conversation’ is effectively private to just two individuals, with all that this implies.

Staff should not give their personal contact details to pupils, for example, email address, home or mobile telephone numbers, details of web-based identities. If pupils locate these by any other means and attempt to contact or correspond with a member of staff, the staff member concerned should not respond and should report the matter to their line manager.

All teachers and other adults should use the School WiFi network to access the internet on portable devices (including but not limited to personal and work devices such as mobile phones, tablets and laptops) while on School premises.

For details on acceptable online use and security please refer to the Technology Acceptable Use Policy for Staff and the Online Safety Policy.

22. Photography, videos and other images / media

Staff must not take or disseminate photos/recordings of pupils or sensitive/personal School data without permission and in accordance with School policies. Personal equipment should never be used for these purposes without express permission and knowledge of the relevant SLT. For further information, please see the School's Staff Technology Acceptable Use Policy and Online Safety Policy.

Staff should not take images of a child's injury, bruising or similar (e.g. following a disclosure of abuse) even if requested by children's social care; or make audio recordings of a child's disclosure. Staff should follow the reporting procedures as detailed in Keeping Children Safe in Education (KCSIE) 2023 and the School's Safeguarding and Child Protection Policy.

23. Transporting pupils

As a general rule, staff should never offer to transport pupils outside of their normal working duties or in their own vehicle, other than in an emergency or where not doing so would mean the pupil may be at risk. In these circumstances, an additional person should accompany the staff member and pupil and where practicably possible, authorisation must be agreed by a manager in advance of the journey taking place or another member of staff must be notified. The child's parents should also be notified.

The School will not plan for a driver to be alone with one pupil on a minibus or any other School vehicle. However, we acknowledge that there will be unavoidable circumstances when one pupil is unexpectedly on a bus alone because no other pupils or adults arrive at the bus. If it is deemed to be detrimental for the pupil to not go on the bus, it would be permitted for the driver to proceed but in these circumstances, the driver will contact the relevant School office to inform them of this and that the child has been dropped off.

24. Keeping Within the Law

Staff are expected to operate within the law. Unlawful or criminal behaviour, at work, or outside work, may lead to disciplinary action, including dismissal, being taken against you. You must ensure that you:

- i. Uphold the law at work
- ii. Never commit a crime away from work which could damage public confidence in you or the School, or which makes you unsuitable for the work you do. This includes, for example:
 - a. Breaching copyright on computer software or published documents
 - b. Sexual offences which will render you unfit to work with children or vulnerable adults
 - c. Crimes of dishonesty which render you unfit to hold a position of trust.
- iii. Write and tell the Head immediately if you are charged with, or convicted of, any crime whilst you are employed at The School. (This includes outside of your working hours). The Head and/or the Board would then need to consider whether this charge or conviction damages public confidence in The School or makes you unsuitable to carry out your duties.

25. Further advice

If there anything in this Code of Conduct for staff working with young people is unclear, please speak to the Head.