



Staff Code of Conduct

Document Control Information							
Document Title		Staff Code of Conduct					
Organisation / Site		New Bridge Multi Academy Trust					
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Approval Committee		Trustees					
Revision and Approval History							
Author	Summary of changes	Issue	Date QA'd	Date Approved	Approved by	Consulted TU	Date of Next Review
R Righini	New Policy	1	-	Mar 2015	Trustees		
S Smith	Policy review	2	-	Aug 2017	Trustees		
S Smith	Policy review	3	-	Dec 2021	Trustees	13.10.21	31.10.23
Equality Impact							
Statement	We welcome feedback on this document and the way it operates. We are interested to know of any possible or actual adverse impact that may affect any groups in respect of any of the equalities act 2010 protected characteristics.						
Screening	This document has been screened by the person responsibility for equality and the impact has been assessed on the next page of this document.						

Equality Impact Assessment Form

To be completed by document author / lead person

Title of document		Allegations of Abuse Against Staff			
Organisation / Site	New Bridge Multi Academy Trust	Person completing form	Simon Smith	Date	24/09/2021
Does the process affect one group less or more favourably than another on the basis of:					Yes / No
Age refers to a person belonging to a particular age					No
Disability A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.					No
Gender reassignment The process of transitioning from one gender to another.					No
Marriage and civil partnership Marriage and civil partnership means someone who is legally married or in a civil partnership. Marriage can either be between a man and a woman, or between partners of the same sex. Civil partnership is between partners of the same sex.					No
Pregnancy and maternity Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding					No
Race Race can mean your colour, or your nationality (including your citizenship). It can also mean your ethnic or national origins, which may not be the same as your current nationality. For example, you may have Chinese national origins and be living in Britain with a British passport. Race also covers ethnic and racial groups. This means a group of people who all share the same protected characteristic of ethnicity or race.					No
Religion and belief Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.					No
Sex A man or a woman.					No
Sexual orientation Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.					No
If you have identified potential discrimination, please explain how the exception is valid, legal and/or justified? enter					

To be completed by EIA Lead

If potential discrimination has been identified, are the exceptions valid, legal and/or justified?		N/A
Does this policy / service / procedure need adjusting to remove any disadvantage identified or to better promote equality?		No
Impact Assessment Result (See tool below)	Low impact	
Date assessed.	24/09/2021	
High Impact The policy or process has a major impact on equality	Medium Impact The policy or process has an impact on equality	Low Impact The policy or process might have an impact on equality
There is significant potential for, or evidence of adverse impact. The policy has consequences for or affects significant numbers of people	There is some evidence to suggest potential for, or evidence of adverse impact. The policy has consequences for or affects some people	There is little evidence to suggest that the policy could result in adverse impact The policy has consequences for or affects few people

1. Purpose

- 1.1. Trustees realise that the vast majority of adults who work with student in the New Bridge Multi-Academy Trust (hereinafter referred to as 'the Trust') act professionally and seek to provide a safe and supportive environment which secures the well-being and very best outcomes for the student in their care.
- 1.2. Where an employee has transferred into the Trust and has enhanced terms that are subject to TUPE then the enhanced terms will continue to apply
- 1.3. The Trust rightly expect the highest standards of conduct from all employees..
- 1.4. This Staff Code of Conduct draws together existing laws, regulations and conditions of service to guide employees in their day to day work.
- 1.5. The Staff Code of Conduct should be read alongside policies/guidance in place detailed as "required reading".
- 1.6. In line with the statutory safeguarding guidance Keeping Children Safe in Education, the Trust should have a staff code of conduct, which covers acceptable use of technologies (including the use of mobile devices), staff/pupil relationships and communications, including the use of social media.
- 1.7. This policy also complies with our funding agreement and articles of association.

2. Scope of Policy

- 2.1. This Code of Conduct sets out the Trust's requirements of its employees. However, all those carrying out work for or on behalf of the Trust, including governors, temporary workers, interim staff, consultants, business partners and contractors are also required to adhere to the principles of the code.
- 2.2. The Trust's disciplinary procedure (all policies are available on the FileMaker Operations Manual) aligns with this code of conduct. Following an investigation, failure to observe any of the standards in the code of conduct may lead to disciplinary action which could result in dismissal.
- 2.3. Breaches of the code by workers who are not directly employed by the Trust may be referred to their employer and they may be stopped from working with immediate effect. The Trust may reconsider its contractual relationship with contractors/agencies who do not take appropriate action in the event that their workers breach the standards expected in this code.
- 2.4. Breaches of the code by trustees/governors will be dealt with in accordance with the Governance Regulations.

3. Reason for Review

- 3.1. This policy was reviewed as part of a policy audit.

4. Aim(s)

- 4.1. The Code of Conduct is intended to ensure that all those working for the Trust are aware of the standards expected of them and specifically that they do not commit and are not open to allegations of inappropriate behaviour, favouritism, abuse of authority or conflict of interest. The Code of Conduct and the associated guidelines should be read in conjunction with the Guidance to Schools relating to acceptable use of Trust monies and the seven principles of public life, known as the Nolan Principles.

- 4.2. Governors/trustees are expected to observe the requirements of the Trust's Scheme of Delegation in addition to the Code of Conduct. Teachers are also required to comply with the Personal and Professional Conduct requirements laid down in the Department for Education's most recent Teachers' Standards document (See appendix C) in addition to the Code of Conduct.

5. Procedures and practice

5.1. Compliance with the Code of Conduct

- 5.1.1. As an employee of the Trust you are expected to give the highest possible standard of service. Where it is part of your duties, you should provide appropriate advice.
- 5.1.2. The Code of Conduct forms part of an employee's contract. Failure to comply with it and with the associated Trust policies may result in disciplinary action being taken after an appropriate investigation and senior leaders will take legal action against employees where serious breaches of the Staff Code of Conduct warrant such action.
- 5.1.3. If you have reason to believe that a fellow employee is in breach of this Staff Code of Conduct, which not a low-level concern, you must disclose the information to your Head of Site (hereinafter includes Head Teacher). Staff who are centrally based should disclose the information to their direct manager. If the breach is by your Head of Site or direct line manager you should report to the Executive Director – HR. To raise a low-level concern, you should complete Appendix B of the Low-Level Concerns addendum below.
- 5.1.4. The Trust takes any allegations relating to fraud, corruption or breaches of this Staff Code of Conduct very seriously. If substantiated after investigation they may be dealt with by the Disciplinary Policy and may be referred to the police.
- 5.1.5. Equally, abuse of this process by raising unfounded or malicious allegations would also be treated as a disciplinary matter.

5.2. Duty of Care

- 5.2.1. All staff are accountable for the way in which they exercise authority, manage risk, use resources and protect student from discrimination and avoidable harm.
- 5.2.2. All staff, whether paid or voluntary, have a duty to keep student safe and to protect them from sexual, physical and emotional harm. Students have a right to be safe and to be treated with respect and dignity. It follows that staff are expected to take reasonable steps to ensure the safety and well-being of student. Failure to do so may be regarded as professional neglect.
- 5.2.3. The duty of care is, in part, exercised through the development of respectful, caring and professional relationships between staff and student and behaviour by staff that demonstrates integrity, maturity and good judgement.

- 5.2.4. When individuals accept a role that involves working with students, they need to understand and acknowledge the responsibilities and trust inherent in that role.
- 5.2.5. The Trust has a duty of care towards its employees under the Health and Safety at Work Act 1974 which requires them to provide a safe working environment for staff and guidance about safe working practices.
- 5.2.6. The Trust has a duty of care for the well-being of employees and to ensure that employees are treated fairly and reasonably in all circumstances. Staff who are subject to an allegation will therefore be supported and the principles of natural justice applied.
- 5.2.7. The Health and Safety Act 1974 also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings. The Trust's duty of care and the staff duty of care towards student should not conflict. This 'duty' can be demonstrated through the use and implementation of this Code of Conduct.
- 5.2.8. The Trust controls the use of the premises both during and outside school hours. Where the Trust provides services or activities directly under the supervision or management of school staff, the organisation's arrangements for safeguarding will be followed.

5.3. Exercise of Professional Judgement

- 5.3.1. This Staff Code of Conduct 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 interests of the student 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 student in their charge.
- 5.3.2. Staff should always consider whether their actions are warranted, proportionate, and safe and applied equitably.

5.4. Power and Positions of Trust

- 5.4.1. As a result of your knowledge, position and/or the authority invested in your role, all staff working with students are in positions of trust in relation to the student in their care. 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 student and staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

- 5.4.2. Wherever possible, staff should avoid behaviour which might be misinterpreted by others, and report and record any incident with this potential.
- 5.4.3. Where a person aged 18 or over is in a position of trust with a student under 18, it is an offence for that person to engage in sexual activity with or in the presence of that student, or to cause or incite that student to engage in or watch sexual activity.
- 5.5. Disclosure of Information**
- 5.5.1. The Trust acknowledges and will comply with the laws which require that certain types of information must be available to the public, service users, councillors, government departments and auditors.
- 5.5.2. Staff should ensure that they know the information which has voluntarily been made open and to whom. Staff should also ensure they know information which is not to be disclosed without specific permission. If unsure about the status of the information you are using, you must clarify it with your line manager or senior member of staff.
- 5.5.3. Staff must not use any information obtained in the course of their work for personal gain or benefit, or for political advantage. Staff must not pass information onto others who might use it in any of these ways.
- 5.6. Confidentiality**
- 5.6.1. Staff may have access to confidential information about student in order to undertake their everyday responsibilities. In some circumstances staff may be given highly sensitive or private information. They should never use confidential or personal information about a student or their 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 student.
- 5.6.2. Confidential information about a student should never be used casually in conversation or shared with any person other than on a need-to-know basis. In circumstances where the student's identity does not need to be disclosed the information should be used anonymously.
- 5.6.3. There are some circumstances in which a member of staff may be expected to share information about a student, 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 responsibilities for child and vulnerable adult protection.
- 5.6.4. 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.

5.6.5. The storing and processing of personal information about student is governed by the Data Protection Act 2018. Trustees have clear advice to staff about their responsibilities under this legislation.

5.6.6. Confidential information about staff should never be used casually in conversation or shared with any person other than on a need-to-know basis.

5.7. Recruitment and Other Employment Matters

5.7.1. Staff involved in recruitment must decide them on the basis of merit. It is illegal to do otherwise.

5.7.2. Staff must not be involved in recruitment if they are related to an applicant or have a close personal relationship outside work with the applicant.

5.7.3. Similarly, staff must not be involved in decisions relating to discipline, promotion or pay adjustments for any employee with whom they have a close relationship.

5.8. Outside commitments which may conflict with your contract

5.8.1. Whatever your pay grade you must not undertake additional work (paid or unpaid) if it compromises your work or overlaps with it in some way, or if, to do that work, you would rely on access to knowledge/materials gained through your work for the Trust.

5.8.2. In the context of above, it is clear that you must not undertake outside work or activity for a personal gain in the work place. You must not use facilities, equipment, materials or typing/computer facilities for these or other non-work-related purposes unless permission has been received from your direct line manager (e.g. CEO or Head of Site).

5.9. Equality & Diversity

5.9.1. All staff are expected to treat people fairly and with respect irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation

5.10. Personal & Business Interests

5.10.1. All staff must declare if they have any personal or business interests which could cause conflict between you as the employee and the organisation.

5.10.2. All personal and business interests will be recorded. When in doubt, you must declare the interest at the earliest opportunity. Failure to do so is a disciplinary matter and may result in dismissal. Please refer to the Business Interests Policy.

5.11. Behaviour during the tendering process

- 5.11.1. If you work in a procurement role you must be fair and impartial in all your dealings.
- 5.11.2. Information on tenders or costs of internal or external contractors is confidential and must not be disclosed.

5.12. Gifts, Rewards and Favouritism

- 5.12.1. Staff should be aware of the Trust's policy on Gifts and Hospitality including the arrangements for the declaration of gifts received.
- 5.12.2. It is against the law for staff 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.
- 5.12.3. There are occasions when student or families wish to pass small tokens of appreciation e.g. at Christmas or as a thank-you and this is acceptable. However, staff must adhere to the policy in place and know that it is unacceptable to receive gifts on a regular basis or of any significant value. If you are unsure, please seek advice from senior management.
- 5.12.4. Similarly, it is not advisable to give such personal gifts to student. This could be misinterpreted as a gesture either to bribe, or single out the student. Any reward given to a student should follow the agreed practice within the organisation, consistent with the behaviour policy, be recorded and not based on favouritism.

5.13. Care of Trust money

- 5.13.1. If your work requires you to handle Trust money, you must handle this responsibly and lawfully, and comply with the organisation's rules and procedures.
- 5.13.2. Staff must use the care and economy you would use for your own money to secure value for money and avoid legal challenges.

5.14. Fraud, Theft, Bribery and Corruption

- 5.14.1. The Trust has a zero-tolerance approach to fraud, theft, bribery and corruption and is committed to ensuring that effective arrangements are in place to prevent, detect, investigate and report fraud. Where a fraud is found to have been committed by any member of staff or other person, appropriate disciplinary and/or legal action will be taken.

5.15. Sponsorship

- 5.15.1. Giving sponsorship - when you propose for Trust to sponsor an event or service, you, your partner, spouse or relative must not benefit from the sponsorship directly. Also, when through sponsorship, grant aid,

financial or other means, the Trust gives support, you must ensure that impartial advice is given and no conflicts of interest are involved.

- 5.15.2. Receiving sponsorship - if an organisation approaches you to sponsor or is seeking to sponsor a The Trust activity by invitation, tender, negotiation or voluntarily, the Trust's requirements apply for competition, tendering and contracting of that sponsorship, so too does the Code of Conduct's requirements on gifts and hospitality. Particular care must be taken when dealing with current or potential contractors.

5.16. Use of The Trust Facilities

- 5.16.1. In general, you must not use the Trust owned facilities, property or equipment for your own personal use (or for any other work including charity or voluntary work) or employment unless you have been given permission by the Head of Site or the CEO. This includes the use of computers and the internet/email facilities, although The Trust does authorise the use of this in non-working times for all staff.

5.17. Conduct outside work

- 5.17.1. Staff must not engage in conduct outside work which could seriously damage the reputation and standing of the Trust or the employee's own reputation or the reputation of other members of the community. Any such conduct could lead to dismissal.
- 5.17.2. Criminal offences that involve violence or possession or use of illegal drugs or sexual misconduct could be regarded as unacceptable and following a suitable investigation, could lead to dismissal.
- 5.17.3. Staff should not establish or seek to establish social contact with student for the purpose of securing a friendship or to pursue or strengthen a relationship. If a student or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his professional judgement in making a response and be aware that such social contact could be misconstrued as grooming. This also applies to social contacts made through outside interests or the staff member's own family.
- 5.17.4. It is recognised that staff can support a parent who may be in particular difficulty. Care needs to be exercised in those situations where the parent comes to depend upon the staff member for support outside their professional role. This situation should be discussed with senior management and where necessary referrals made to the appropriate support agency.
- 5.17.5. Your off-duty hours are your own personal concern but again, actions outside work must not compromise your contact with the Trust.

5.18. Using Technology & Social Media

- 5.18.1. Staff must exercise caution when using information technology and be aware of the risks to themselves and others. This includes the wider use of technology such as mobile phones, text messaging, emails, digital cameras, videos, web-cams, websites and blogs. The E-safety policy must be adhered to.

5.19. Photography, Videos and other Creative Arts

- 5.19.1. Many activities within the Trust may involve recording images. These may be undertaken as part of the curriculum, extra school activities, for publicity or to celebrate achievement.
- 5.19.2. Staff should refer to the E-safety policy for further information on taking and using digital images and acceptable use of social networking.

5.20. Personal mobiles

- 5.20.1. Staff are not permitted to use mobile phones during working time unless formal arrangements have been made. Mobile phones can be used at authorised break time not involved any form of student supervision.
- 5.20.2. A member of staff's personal mobile phone may be designated as the means of communication for specific activities e.g. on school trips. The use of mobile phones by staff whilst on school duties must respect national legislation and common courtesies. For example, they must not be used whilst driving and should be switched to silent at events and venues where this is expected
- 5.20.3. It is recognised that mobile phones provide direct contact to others, and at times provide a necessary reassurance due to their ease of access, particularly at stressful times. Staff, therefore, in agreed exceptional circumstances, are permitted to keep the volume of their phone switched on. This is to enhance their own well-being and peace of mind, to reduce stress and worry and to enable them to concentrate far more effectively on their work. Such use will be for an agreed limited period only, until any concerns or issues leading to the exceptional circumstance request have been resolved.

5.21. Communication with Pupils& Parents

- 5.21.1. Communication with student, by whatever method, should take place within professional boundaries and staff should avoid any personal subject matter.
- 5.21.2. Staff should be mindful in their communications with student so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming.
- 5.21.3. Staff should not give their personal contact details to student including email, home or mobile telephone numbers unless the need to do so is

agreed with senior management. Internal email systems should only be used in accordance with Trust policy

5.22. Dress and Appearance

5.22.1. 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 the tasks they undertake. Those who dress or appear in a manner which is considered as inappropriate or unsafe by senior management could be asked to modify their appearance. This includes displaying any offensive or political slogans.

5.23. Drugs and alcohol

5.23.1. The taking of illegal drugs is unacceptable and will not be tolerated. All staff are expected to attend work without being under the influence of alcohol or illegal drugs and without their performance being adversely impacted by the consumption of alcohol or illegal drugs.

5.23.2. If alcohol or drug usage impacts on a staff member's working life, the organisation has the right to discuss the matter with the employee and take appropriate action.

5.23.3. Where a member of staff discloses that they have a dependency issue with a substance, the Trust will discuss the support available before taking any formal action.

5.24. Criminal actions

5.24.1. All staff must inform the CEO immediately if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution. The CEO will delegate this to an appropriate person to discuss this with the member of staff in the context of their role and responsibilities in order to safeguard the student and other employees of the Trust.

5.25. Harassment & Bullying

5.25.1. Trustees will not tolerate harassment and bullying at work.

5.26. Smoking

5.26.1. To comply with legislation, and in seeking to make our organisation a pleasant and healthy environment for all, the Trust operates a ban on smoking (including E-cigarettes) in all its premises.

5.26.2. Smoking (including E-cigarettes) is permitted only in open spaces well away (a minimum of four metres) from our buildings and entrances and windows.

5.27. Attendance & Timekeeping

- 5.27.1. All staff are required to comply with the Trust's policy in relation to notification of absence and timekeeping. All staff must sign in and out when entering or leaving any of our premises using their allocated identity badge.
- 5.27.2. There is an expectation at the Trust that all staff will arrive at their workplace ready and prepared in plenty of time to commence their duties, and there is an expectation that staff do not leave the building at the same time as the student at the end of the school day.
- 5.27.3. Staff must obtain authorisation from their direct line manager HR department if for any reason they wish to arrive later or leave earlier than their agreed start and finish times.
- 5.27.4. The Trust reserves the right not to pay employees in respect of working time lost because of poor timekeeping.
- 5.27.5. Persistent poor timekeeping may result in disciplinary action.

5.28. Relationships between staff members

- 5.28.1. Although the existence of a personal relationship between members of staff does not necessarily constitute a bar to the employment or promotion of either party, staff should declare to their direct line manager any personal relationships which may give rise to a real or perceived conflict of interest, trust or breach of confidentiality.
- 5.28.2. Where a personal relationship exists or develops with members of staff who are in a line management or supervisory role at work, they must not be involved in recruitment, selection, appraisal, promotion or in any other management activity process involving the other party. Additionally, staff in a personal relationship should not work together in any circumstance whereby a conflict of interest, breach of confidentiality or unfair advantage may be perceived to be gained from the overlap of a personal and professional relationship.

5.29. Infatuations

- 5.29.1. 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. 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.
- 5.29.2. Staff who become aware that a student may be infatuated with themselves or a colleague, should discuss this at the earliest opportunity with the Head of Site of the student so that appropriate

action can be taken. In this way, steps can be taken to avoid hurt and distress for all concerned.

5.30. Physical Contact

- 5.30.1. There are occasions when it is entirely appropriate and proper for staff to have physical contact with students, but it is crucial that they only do so in ways appropriate to their professional role.
- 5.30.2. A 'no touch' approach is impractical for most staff and will in some circumstances be inappropriate. When physical contact is made with student this should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background.
- 5.30.3. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one student in one set of circumstances may be inappropriate in another, or with a different student. Staff should, therefore, use their professional judgement at all times.
- 5.30.4. 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 using the low-level concerns form in Appendix 2 below. If appropriate, a copy will be placed on the student's file.
- 5.30.5. Physical contact which occurs regularly with an individual student is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to student with SEN or physical disabilities). Any such contact should be the subject of an agreed and open policy and subject to review. Where feasible, staff should seek the student's permission before initiating contact. Staff should listen, observe and take note of the student's reaction or feelings and - so far as is possible - use a level of contact and/or form of communication which is acceptable to the student for the minimum time necessary.
- 5.30.6. Extra caution may be required where it is known that student has suffered previous abuse or neglect. In the student'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 student may seek out inappropriate physical contact. In such circumstances staff should deter the student sensitively by helping them to understand the importance of personal boundaries.
- 5.30.7. The general culture of 'limited touch' should be adapted, where appropriate, to the individual requirements of each student. Students

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 student's needs, consistently applied and open to scrutiny.

- 5.30.8. Some staff, for example, those who teach PE and games, or who offer music tuition will, on occasions, have to initiate physical contact with student in order to support them 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.
- 5.30.9. 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 student.

5.31. Showers and Changing

- 5.31.1. 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 student, 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 student concerned and sensitive to the potential for embarrassment.
- 5.31.2. Staff need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the student.

5.32. Intimate Care

- 5.32.1. All students have a right to safety, privacy and dignity when contact of an intimate nature is required (for example assisting with toileting or removing wet/soiled clothing). A care plan should be drawn up and agreed with parents for all students who require intimate care on a regular basis.
- 5.32.2. Students should be encouraged to act as independently as possible and to undertake as much of their own personal care as is practicable. When assistance is required, staff should ensure that another appropriate adult is in the vicinity and is aware of the task to be undertaken.
- 5.32.3. Additional vulnerabilities that may arise from a physical disability or learning difficulty should be considered with regard to individual teaching and care plans for each student. As with all arrangements for intimate care needs, agreements between the student, their parents/carers and the organisation must be negotiated, agreed and recorded. In addition, the views and/or emotional responses of student

with special educational needs, regardless of age and ability, must be actively sought in regular reviews of these arrangements.

5.33. Student in Distress

- 5.33.1. There may be occasions when a distressed student needs 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
- 5.33.2. Where a member of staff has a particular concern about the need to provide this type of care and reassurance, s/he should seek further advice from a senior manager.

5.34. Behaviour Management

- 5.34.1. All students have a right to be treated with respect and dignity. Equally, staff should not use any form of degrading treatment to punish a student. The use of humour can help to defuse a situation. The use of sarcasm, demeaning or insensitive comments towards a student is not acceptable in any situation.

5.35. Care, Control and Physical Intervention

- 5.35.1. The circumstances in which staff can intervene with a student are covered by the 1996 Education Act. 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. Staff should have regard to the health and safety of themselves and others. Any form of physical intervention should only be used as a last resort and within an holistic framework incorporating a wide range of de-escalation and behaviour management strategies.
- 5.35.2. This is a complex area and staff must have regard to DfE, BUILD and Team Teach guidance. Team Teach training is compulsory for all staff within the organisation and staff must adhere to the organisation's restrictive physical intervention policy.
- 5.35.3. 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.
- 5.35.4. In all cases where physical intervention is deemed necessary, the incident and subsequent actions should be documented and reported

5.36. Sexual Contact

- 5.36.1. Any sexual behaviour by a member of staff with or towards a student is both inappropriate and illegal. Students are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether

the student consents or not. This includes the prohibition on adults in a position of trust.

- 5.36.2. 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 a student to engage in or watch sexual activity or the production of pornographic material. 'Working Together to Safeguard Children' defines sexual abuse as "forcing or enticing a student to take part in sexual activities, whether or not the student is aware of what is happening".
- 5.36.3. There are occasions when adults may embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a student, and manipulate that relationship so sexual abuse can take place. Staff should be aware that conferring special attention and favour upon a student might be construed as being part of a 'grooming' process, which is an offence.

5.37. One to One Situations

- 5.37.1. Staff working in one to one situations with students may be more vulnerable to allegations. Everyone should recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure the safety and security needs of both staff and the student are met.
- 5.37.2. The Trust will consider these issues in drawing up their policies and offer clear training and guidance for the use of any areas of the premises which place staff or student in vulnerable situations e.g. photographic darkrooms, counselling rooms etc.
- 5.37.3. Senior management will undertake a risk assessment in relation to the specific nature and implications of one to one work for each worker. In addition, each assessment should take into account the individual needs of each student. Any arrangements should be reviewed on a regular basis.
- 5.37.4. Pre-arranged meetings with student away from any of our premises should not be permitted unless approval is obtained from their parent and the CEO or Head of Site or other senior colleague with delegated authority.

5.38. Home Visits

- 5.38.1. Appropriate policies and related risk assessments are in place to safeguard both staff and student, who can be more vulnerable in these situations. A risk assessment will include an evaluation of any known factors regarding the student, parents and others living in the household. Where little or no information is available, visits should not

be made alone. Emergency situations should be immediately reported to the Head of Site, police or social care as appropriate.

5.39. Transporting Student

- 5.39.1. In certain situations, e.g. out of school activities, staff may agree to transport students. A designated member of staff should be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties that may arise.
- 5.39.2. Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles, with at least one member of staff additional to the driver acting as an escort.
- 5.39.3. 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.

5.40. Educational Visits and After School Clubs etc.

- 5.40.1. Staff should take particular care when supervising students in the less formal atmosphere of a residential setting or after-school activity.
- 5.40.2. During 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.
- 5.40.3. Where out of school activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Student, staff and parents should be informed of these prior to the start of the trip.
- 5.40.4. Health and Safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in an out of school activity. Staff must be aware of and follow guidance.

5.41. First Aid and Administration of Medication

- 5.41.1. The Trust has a team of trained and appointed first-aiders. Teachers may volunteer to undertake this task but it is not a contractual requirement. Staff should receive appropriate training before administering first aid or medication.
- 5.41.2. Student may need medication during school hours. In circumstances where student need medication regularly a health care plan should be drawn up to ensure the safety and protection of the student and staff.

The Administering Medication and Use of Inhalers policies should be referred to.

5.41.3. 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 Director of Care at the earliest opportunity. When administering first aid, wherever possible, staff should ensure that another member of staff is present, or aware of the action being taken. Parents should always be informed when first aid has been administered.

5.41.4. There should be due regard to DfE guidance.

5.42. Curriculum

5.42.1. 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.

5.42.2. The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to a student's questions can require careful judgement and staff may wish to take guidance in these circumstances from a senior member of staff.

5.42.3. Care should also be taken to abide by the policy on sex and relationships education and the wishes of parents. Parents have the right to withdraw their student from all or part of any sex education provided (but not from the biological aspects of human growth and reproduction necessary under the Science curriculum)

5.43. Whistleblowing

5.43.1. 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 a student may be at risk. The Whistleblowing policy should be referred to.

5.44. Sharing Concerns and Recording Incidents

5.44.1. Staff have a duty to safeguard students from harm, and to report any concerns they have. This includes physical, emotional and sexual abuse, and neglect.

5.44.2. Staff will familiarise themselves with our child protection and safeguarding policy and procedures, and the Prevent initiative, and ensure they are aware of the processes to follow if they have concerns about a student.

- 5.44.3. Staff who are the subject of allegations are advised to contact their professional association.
- 5.44.4. In the event of an incident occurring which may result in an action being misinterpreted and/or an allegation being made against a member of staff, the relevant information should be clearly and promptly recorded and reported to senior staff. Early discussion with a parent or carer could avoid any misunderstanding.
- 5.44.5. Members of staff should feel able to discuss with their line manager any difficulties or problems that may affect their relationship with a student so that appropriate support can be provided or action can be taken.
- 5.44.6. It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of staff working with or on behalf of student.

5.45. **Low Level Concerns**

- 5.45.1. A low-level concern is a behaviour towards a child by a member of staff that does not meet the harms threshold, is inconsistent with the staff code of conduct, and may be as simple as causing a sense of unease or a 'nagging doubt'. For example, this may include:
- Being over-friendly with children
 - Having favourites
 - Taking photographs of children on a personal device
 - Engaging in one-to-one activities where they can't easily be seen
 - Using inappropriate language
- 5.45.2. Low-level concerns can include inappropriate conduct inside and outside of work.
- 5.45.3. All staff should share any low-level concerns they have using the reporting procedures in Appendix 2 below. We also encourage staff to self-refer if they find themselves in a situation that could be misinterpreted. If staff are not sure whether behaviour would be deemed a low-level concern, we encourage staff to report it.
- 5.45.4. All reports will be handled in a responsive, sensitive and proportionate way.
- 5.45.5. Unprofessional behaviour will be addressed, and the staff member supported to correct it, at an early stage. This creates and embeds a culture of openness, trust and transparency in which our values and expected behaviour are constantly lived, monitored and reinforced by all staff, while minimising the risk of abuse.

5.45.6. Reporting and responding to low-level concerns is covered in more detail in our child protection and safeguarding policy.

5.45.7. Health & Safety

5.45.7.1. All staff must adhere to the Trust's Health & Safety Policy, procedure and guidance and must ensure that they take every action to keep themselves and everyone in the organisation safe and well. This includes taking immediate safety action in a potentially harmful situation either at school or off-site.

6. Other useful documents

- 6.1. Data Protection Policy
- 6.2. E-Safety Policy
- 6.3. Disciplinary Policy
- 6.4. Equality Impact Scheme
- 6.5. Seven principles of Public Life, the Nolan Principles
- 6.6. Scheme of Delegation
- 6.7. Teachers' Standards. Personal & Professional Conduct
- 6.8. Whistleblowing policy
- 6.9. Administering Medication policy
- 6.10. Use of Inhalers
- 6.11. Business Interests Policy

7. Monitoring

7.1. This policy will be monitored through the Trust's accountability framework.

LOW LEVEL CONCERNS ADDENDUM

This addendum applies to all staff.

It includes any adult working for or with the Trust.

This follows new statutory guidance from *Keeping Children Safe in Education 2021* which enables all staff to share any concerns – no matter how small – about their own or another member of staff's behaviour with their Head of Site (hereafter to include Head Teacher) or Designated Safeguarding Lead.

Rationale:

Safeguarding and promoting the welfare of children is everyone's responsibility.

"Agencies providing services to children should ensure that a culture of openness and trust is fostered within the Trust in which staff can share any concerns about the conduct of colleagues and be assured that these will be received in a sensitive manner." Organisational child sexual abuse is an increasingly well-documented and understood phenomenon. It is rare to find cases where the abuse occurred in the absence of preceding grooming by the offender, and whilst not always, it is usually the case that such preparatory conduct was observed and regarded as questionable at the time by others. It is not of course just children who are groomed but also, as multiple cases demonstrate, the potentially protective adults and systems around them.

Often a striking feature is that such conduct was not shared with the relevant individual at the organisation until after substantive abuse was alleged against the offender. In other respects, potentially questionable conduct, even where shared, is consistently shown not to have either been recorded or available for evaluation as part of a history or pattern of behaviour, or not to have been escalated when a pattern of such behaviour emerged.

Grooming behaviours included direct use of authority to offend, using material or practical benefits for victims, providing support for isolated children, favouring particular children, and use of alcohol, videos or sexual imagery amongst others. The method of commencing the abuse included the *erosion of boundaries*, slow progression to abuse, use of trust and authority, meeting the child's needs (including physical and emotional), and developing relationships with the child's family

The purpose of the policy is to create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour which are set out in the Code of Conduct are constantly lived, monitored and reinforced by all staff.

In order to achieve this purpose, we will:

- ensure that staff are clear about, and confident to distinguish, expected and appropriate behaviour from concerning, problematic or inappropriate behaviour – in themselves and others, and the delineation of professional boundaries and reporting lines;
- empower staff to share any low-level concerns and to help all staff to interpret the sharing of such concerns as a neutral act;
- address unprofessional behaviour and help the individual to correct such behaviour at an early stage;
- identify concerning, problematic or inappropriate behaviour – including any patterns – that may need to be consulted upon with (on a no-names basis if appropriate), or referred to, the LADO;

- provide for responsive, sensitive and proportionate handling of such concerns when they are raised; and
- help identify any weaknesses in the school's safeguarding system.

What is a low level concern?

Low Level Concerns sit within a Spectrum of behaviour:

Allegation

Behaviour which indicates that an adult who works with children has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

Low-Level Concern

Any concern – no matter how small, even if no more than a ‘nagging doubt’ – that an adult may have acted in a manner which:

- is not consistent with our Code of Conduct, and/or
- relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult's suitability to work with children.

Appropriate Conduct

Behaviour which is entirely consistent with the our Code of Conduct, and the law.

Allegation: The term ‘allegation’ means that it is alleged that a person who works with children has:

behaved in a way that has harmed a child, or may have harmed a child;

possibly committed a criminal offence against or related to a child; or

behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

an allegation can also relate to an adult's behaviour outside of work, and their relationships with others, if they:

have behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to

a child but could, for example, include an arrest for the possession of a weapon;

have, as a parent or carer, become subject to child protection procedures;

are closely associated with someone in their personal lives (e.g. partner, member of the family or other household member) who may present a risk of harm to child/ren for whom the adult is responsible in their employment/volunteering.

Where the threshold of an allegation is met, there is specific guidance on how schools should respond:

Working Together to Safeguard Children states that "...Any allegation against people who work with children should be reported immediately to a senior manager within the organisation or agency. The [LADO] or team of officers, should also be informed within one working day of all allegations that come to an employer's attention or that are made directly to the police."

This obligation to report allegations applies to schools and colleges, faith organisations, and voluntary and private sector organisations (amongst others). However, in practice, all organisations working with children should take this action.

Keeping Children Safe in Education (KCSIE) states that "If staff have safeguarding concerns, or an allegation is made about another member of staff (including volunteers) posing a risk of harm to children, then:

this should be referred to the headteacher or principal;

where there are concerns/allegations about the headteacher or principal, this should be referred to the chair of governors, chair of the management committee, or proprietor of an independent school; and

in the event of concerns/allegations about the headteacher, where the headteacher is also the sole proprietor of an independent school, allegations should be reported directly to the designated officer(s) at the local authority...."

More detailed guidance is set out in Part 4 of KCSIE on handling allegations and low-level concerns once they have been reported internally.

Low-level concern: A low-level concern is any concern about an adult's behaviour towards a child that does not meet the allegation threshold set out above, or is not otherwise serious enough to consider a referral to the LADO.

A low-level concern is any concern – no matter how small, and even if no more than a 'nagging doubt' – that an adult may have acted in a manner which:

- (i) is not consistent with our Code of Conduct, and/or
- (ii) relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult's suitability to work with children.

Examples of such behaviour could include, **but are not limited to:**

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating or offensive language.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

Staff do not need to be able to determine in each case whether their concern is a low-level concern, or if it is in fact serious enough to consider a referral to the LADO, or meets the threshold of an allegation. Once staff share what they believe to be a low-level concern, that determination should be made by the Safeguarding Lead.

Although it is important that staff feel comfortable with, and are clear about, the concept of low-level concerns, and know what to do if they have such a concern, it is not necessary for staff to determine whether the concern is a low-level concern, or if it is in fact serious enough to consider a referral to the LADO, or meets the threshold of an allegation. Once staff share what they believe to be a low-level concern, that determination will be made by the Head of Site.

Who should staff share low-level concerns with?

It is critical that all low-level concerns are ultimately received by the Head of Site. Having one recipient of all such concerns will allow any potential patterns of concerning, problematic or inappropriate behaviour to be identified, and ensure that no information is possibly lost.

It is important that low-level concerns are shared with the Head of Site or a site based Designated Safeguarding Lead as soon as reasonably possible and, in any event, within 24 hours of becoming aware of it (where the concern relates to a particular incident) – although it should also be emphasised that it is never too late to share a low-level concern.

If the Head of Site is absent for any reason, low-level concerns should be shared with a Designated Safeguarding Lead who should ensure that they inform the Head of Site immediately on their return.

If any low-level concern relates to the behaviour of the Head of Site, it should be shared with the CEO.

Are staff who share concerns able to remain anonymous?

If the staff member who raises the concern does not wish to be named, then the school will respect that person's wishes as far as possible. However, there may be circumstances where the staff member will need to be named (for example, where it is necessary in order to carry out a fair disciplinary investigation) and, for this reason, anonymity cannot be promised to members of staff who share low-level concerns. We encourage staff to consent to be named, as this will help to create a culture of openness and transparency.

Should staff share concerns about themselves (i.e. self-report)?

Occasionally a member of staff may find themselves in a situation which could be misinterpreted, or might appear compromising to others.

Equally, a member of staff may, for whatever reason, have behaved in a manner which, on reflection, they consider falls below the standard set out in the Code of Conduct.

Self-reporting in these circumstances can be positive for a number of reasons: it is self-protective, in that it enables a potentially difficult issue to be addressed at the earliest opportunity; it demonstrates awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived; and, crucially, it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

How should low-level concerns be shared and recorded?

Staff can share their low-level concern verbally with the Head of Site or a site based Designated Safeguarding Lead in the first instance, or provide them with a written summary of it on the **Low-Level Concerns Form (Appendix B)**.

Where the low-level concern is provided verbally, the Head of Site will Safeguarding Lead an appropriate record of the conversation, either contemporaneously or immediately following the discussion on the **Low Level Concerns Form (Appendix B)**.

Sound professional judgement should be exercised in determining what information is necessary to record for safeguarding purposes. The name of the individual sharing the low-level concern, and their role, should be stated, as should the name of the individual about whom the concern is being raised, and their role within the school at the time the concern is raised. If the latter individual has an opposing factual view of the incident, this should be fairly recorded alongside the concern. The record should include brief context in which the low-level concern arose, and concise details (which are chronological and as precise and accurate as possible) of any such concern and relevant incident(s). The record should be signed, timed and dated.

How will a low-level concern be responded to by the Head of Site?

Once the Head of Site has received the low-level concern, whether directly or from a DSL they should speak to the person who raised the concern (unless it has been raised

anonymously), regardless of whether a completed low-level concerns form has been provided and review the information and determine whether the behaviour:

- (i) is entirely consistent with our Code of Conduct and the law,
- (ii) constitutes a low-level concern,
- (iii) is serious enough to consider a referral to the LADO, or
- (iv) when considered with any other low-level concerns that have previously been raised about the same individual, should be reclassified as an allegation and referred to the LADO/other relevant external agencies;

where the Head of Site is in any doubt whatsoever, they should seek advice from the LADO – on a no-names basis if necessary; speak to the individual about whom the low-level concern has been raised (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted) and make appropriate records of:

- all internal conversations – including with the person who initially shared the low-level concern (where this has been possible),
- the adult about whom the concern has been shared (subject to the above), and any relevant witnesses;
- all external conversations – for example, with the LADO/other external agencies (where they have been contacted, and either on a no-names or names basis);
- their determination about the behaviour
- the rationale for their decision; and
- any action taken.

The Head of Site's approach should also be informed by the following:

If it is decided that the low-level concern in fact amounts to behaviour which is entirely consistent with our Code of Conduct and the law it will still be important for the Head of Site to inform the individual in question what was shared about their behaviour, and to give them an opportunity to respond to it. In addition, the Head of Site should speak to the person who shared the low-level concern – to provide them with feedback about how and why the behaviour is consistent with our Code of Conduct and the law. Such a situation may indicate that:

- the Code of Conduct is not clear;
- the briefing and/or training has not been satisfactory; and/or
- the Low Level Concern's policy is not clear enough.

If it is decided that the current concern is low-level:

- it should also be responded to in a sensitive and proportionate way – on the one hand maintaining confidence that such concerns when raised will be handled promptly and effectively whilst,
- on the other hand, protecting staff from any potential false allegations or misunderstandings. Any investigation of low-level concerns should be done discreetly and on a need-to-know basis;

Most low-level concerns by their very nature are likely to be minor. Some will not give rise to any ongoing concern and, accordingly, will not require any further action. Others may be most appropriately dealt with by means of management guidance and/or training. In many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised.

Any such conversation should include being clear with the individual as to why their behaviour is concerning, problematic or inappropriate, what change is required in their behaviour, enquiring what, if any, support they might need in order to achieve and maintain

that, and being clear about the consequences if they fail to reach the required standard or repeat the behaviour in question. Any formal action will follow the relevant policy and involve Ongoing and transparent monitoring of the individual's behaviour may be appropriate. An action plan or risk assessment which is agreed with the individual, and regularly reviewed with them, may also be appropriate.

Some low-level concerns may also raise issues of misconduct or poor performance. The Head of Site should consider whether this is the case – taking into account any advice from the LADO, and consulting HR on a no-names basis where necessary – and, if so, to refer the matter to HR. Any such referral should be made by the Head of Site having received the low-level concern and not by individual staff members. Equally, it is essential that there is close liaison and appropriate information sharing between the Head of Site and HR, so that an holistic view of the individual can be taken. Where a low-level concern does not raise misconduct or poor performance issues, it will not be a matter for HR;

As explained earlier this addendum applies to any adult working for or with the Trust – so that low-level concerns can be self-reported by and/or shared about them. However, how a school then responds to a low-level concern may be different depending on the individual who is the subject of the concern's employment status with the Trust (i.e. whether an employee, worker, self-employed, contractor, Governor, Trustee, Director or volunteer). The school's response will need to be tailored accordingly, in respect of which they may need to seek specialist legal advice. Reports about supply staff and contractors should be notified to their employers, so any potential patterns of inappropriate behaviour can be identified.

Some concerns may trigger the Trust's disciplinary, grievance or whistleblowing procedures, which will be followed where appropriate.

If HR advise that the Trust's disciplinary procedure is triggered, we will ensure that the individual has a full opportunity to respond to any factual allegations which form the basis of a disciplinary case against them.

If it is decided that the current concern when considered with any other low-level concerns that have been shared about the same individual, should be reclassified as an allegation, then the allegation will be dealt with in accordance with the Managing Allegations Against Staff Policy, and Part 4 of KCSIE.

How will low-level concerns be held?

Heads of Site will retain all records of low-level concerns (including those which are subsequently deemed to relate to behaviour which is entirely consistent with the Code of Conduct) in a central low-level concerns file (either electronic or hard copy) but they must be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR). Where multiple low-level concerns have been shared regarding the same individual these should be kept in chronological order as a running record, and with a timeline alongside.

Some low-level concerns may also involve issues of misconduct or poor performance, or they may trigger the Trust's disciplinary, grievance or whistleblowing procedures. Where these issues would ordinarily require records to be made and retained on the staff member's personnel file, this

should be done in the normal way, in addition to the records of the low-level concern(s) being retained in a central low-level concerns file.

If a low-level concern in and of itself is deemed to be serious enough to consider a referral to the LADO and, perhaps following consultation, a referral is made to them, then records relating to the low-level concern should be placed and retained on the staff member's personnel file.

If a low-level concern (or group of concerns) is re-classified as an allegation, all previous records of low-level concerns relating to the same individual should be moved from the central low-level concerns file to the staff member's personnel file, and retained in accordance with Part 4 of KCSIE – which requires schools and colleges to produce a clear

and comprehensive summary of all allegations (except those which are found to have been malicious), details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, to be kept on the confidential personnel file of the staff member, and a copy provided to them.

Should the central low-level concerns file be reviewed?

The Head of Site will review the central low-level concerns file termly to ensure that all such concerns are being dealt with promptly and appropriately, and that any potential patterns of concerning, problematic or inappropriate behaviour are identified. A record of these reviews should be made.

How long will records of a low-level concern be kept?

Low-level concerns will be retained on a site's central low-level concerns file unless and until a staff member leaves and/or takes up new employment, at which point the content of the file may be reviewed to ensure it still has value (either as a safeguarding measure or because of its possible relevance to future claims), and is therefore necessary to keep.

Will a low-level concern be referred to in a reference?

Part three of this KCSIE is clear that schools and colleges should only provide substantiated safeguarding allegations in references. Low level concerns will not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference. However, where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and found to be substantiated, it will be referred to in a reference.

What is the role of the Governing Body (to which a written low-level concerns policy should also apply)?

The Head of Site should regularly inform the Governing Body about the implementation of the low-level concerns policy and any evidence as to its effectiveness. For example, by including reference to it in any safeguarding reports, and providing any relevant data.

The Governing Body will also review an anonymised sample of low-level concerns at regular intervals, in order to ensure that these concerns have been responded to promptly and appropriately.

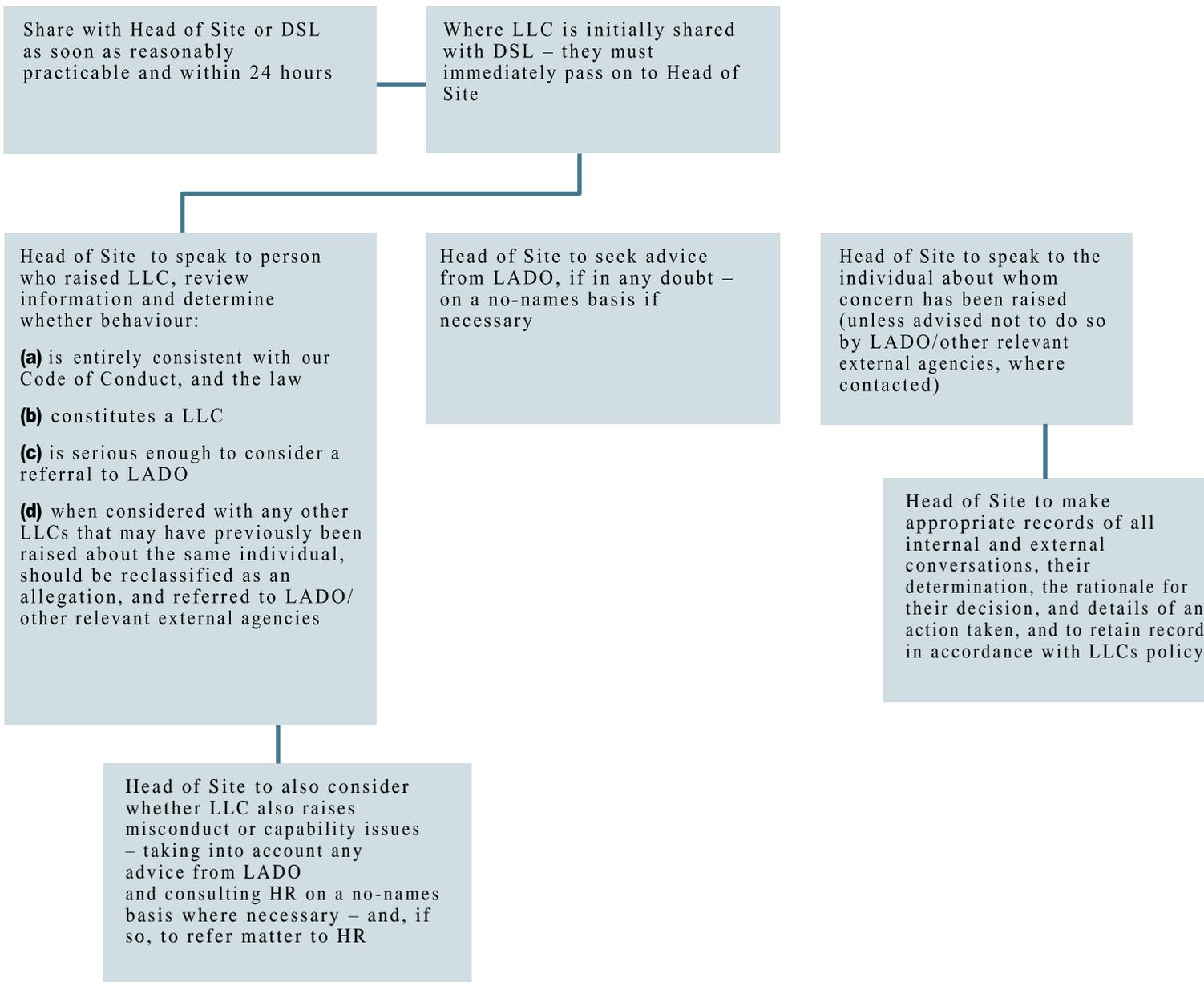
Appendix A

Diagram 1: Sharing low-level concerns (LLCs) – action required by Head of Site

If member of staff has what they believe to be a LLC – they should take the below action.

If member of staff has an allegation – they should follow the procedure in the Managing Allegations Against Staff Policy.

ACTION REQUIRED



Appendix B

Concern Form	
<ul style="list-style-type: none"> • Please use this form to share any concern – no matter how small, and even if no more than a ‘nagging doubt’ – that an adult may have acted in a manner which: • is not consistent with the Trust’s Staff Code of Conduct, and/or • relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult’s suitability to work with children. • You should provide a concise record – including brief context in which the low-level concern arose, and details which are chronological, and as precise and accurate as possible – of any such concern and relevant incident(s) (and please use a separate sheet if necessary). • The record should be signed, timed and dated. 	
Name of staff member about whom the concern is raised:	
Department & Role:	
<u>Details of concern and the context in which the concern arose</u>	
Concern raised by:	
Signed:	
Time & Date:	
Concern received by:	
Action Taken (Specify)	
Signed:	
Time & Date:	

This record will be held securely in accordance with this policy. Please note that low-level concerns will be treated in confidence as far as possible, but the Trust may in certain circumstances be subject to legal reporting requirements or other legal obligations to share information with appropriate persons, including legal claims and formal investigations.

Appendix C : Teachers' Standards

Introduction

The Teachers' Standards are presented in this Document as they underpin the appraisal process and the assessment process for accessing the upper pay range.

Teachers' Standards

Preamble

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.

Part One: Teaching

A teacher must:

1. Set high expectations which inspire, motivate and challenge pupils

- establish a safe and stimulating environment for pupils, rooted in mutual respect;
- set goals that stretch and challenge pupils of all backgrounds, abilities and dispositions;
- demonstrate consistently the positive attitudes, values and behaviour which are expected of pupils.

2. Promote good progress and outcomes by pupils

- be accountable for pupils' attainment, progress and outcomes;
- be aware of pupils' capabilities and their prior knowledge, and plan teaching to build on these;
- guide pupils to reflect on the progress they have made and their emerging needs;
- demonstrate knowledge and understanding of how pupils learn and how this impacts on teaching;
- encourage pupils to take a responsible and conscientious attitude to their own work and study.

3. Demonstrate good subject and curriculum knowledge

- have a secure knowledge of the relevant subject(s) and curriculum areas, foster and maintain pupils' interest in the subject, and address misunderstandings;
- demonstrate a critical understanding of developments in the subject and curriculum areas, and promote the value of scholarship;
- demonstrate an understanding of and take responsibility for promoting high standards of literacy, articulacy and the correct use of standard English, whatever the teacher's specialist subject;
- if teaching early reading, demonstrate a clear understanding of systematic synthetic phonics;
- if teaching early mathematics, demonstrate a clear understanding of appropriate teaching strategies.

4. Plan and teach well-structured lessons

- impart knowledge and develop understanding through effective use of lesson time;
- promote a love of learning and children's intellectual curiosity;
- set homework and plan other out-of-class activities to consolidate and extend the knowledge and understanding pupils have acquired;
- reflect systematically on the effectiveness of lessons and approaches to teaching;
- contribute to the design and provision of an engaging curriculum within the relevant subject area(s).

5. Adapt teaching to respond to the strengths and needs of all pupils

- know when and how to differentiate appropriately, using approaches which enable pupils to be taught effectively;
- have a secure understanding of how a range of factors can inhibit pupils' ability to learn, and how best to overcome these;
- demonstrate an awareness of the physical, social and intellectual development of children, and know how to adapt teaching to support pupils' education at different stages of development;
- have a clear understanding of the needs of all pupils, including those with special educational needs; those of high ability; those with English as an additional language; those with disabilities; and be able to use and evaluate distinctive teaching approaches to engage and support them.

6. Make accurate and productive use of assessment

- know and understand how to assess the relevant subject and curriculum areas, including statutory assessment requirements;
- make use of formative and summative assessment to secure pupils' progress;
- use relevant data to monitor progress, set targets, and plan subsequent lessons;
- give pupils regular feedback, both orally and through accurate marking, and encourage pupils to respond to the feedback.

7. Manage behaviour effectively to ensure a good and safe learning environment

- have clear rules and routines for behaviour in classrooms, and take responsibility for promoting good and courteous behaviour both in classrooms and around the school, in accordance with the school's behaviour policy;
- have high expectations of behaviour, and establish a framework for discipline with a range of strategies, using praise, sanctions and rewards consistently and fairly;
- manage classes effectively, using approaches which are appropriate to pupils' needs in order to involve and motivate them;
- maintain good relationships with pupils, exercise appropriate authority, and act decisively when necessary.

8. Fulfil wider professional responsibilities

- make a positive contribution to the wider life and ethos of the school;
- develop effective professional relationships with colleagues, knowing how and when to draw on advice and specialist support;
- deploy support staff effectively;

- take responsibility for improving teaching through appropriate professional development, responding to advice and feedback from colleagues;
- communicate effectively with parents with regard to pupils' achievements and wellbeing.

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:
 - o treating pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to a teacher's professional position;
 - o having regard for the need to safeguard pupils' well-being, in accordance with statutory provisions;
 - o showing tolerance of and respect for the rights of others;
 - o 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;
 - o 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.