

Policy document control box	
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Version	Date	Title	Status	Comment
1.03	25/3/2022	Headteacher	update	Added "staff relationships" section p8 Added "Low Level Concerns" section p12 Amendments to "Sexual Conduct" section p11
1.04	20/9/2022	Executive Headteacher	Review	Policy review to reflect the appropriate roles for Executive Headteacher/Centre Headteacher

Purpose

This policy describes how the behaviours and actions of Red Balloon employees and volunteers (including trustees and/or governors) will support all students in accessing the highest possible quality of teaching and learning within a positive and respectful environment. Furthermore, they expect that all students will perceive themselves to be safe, emotionally and physically, throughout their time at Red Balloon.

Trustees expect that all staff will represent the organisation appropriately and professionally in their contact with parents/carers, schools, other commissioning agents and all other agencies.

Scope

It is important that staff have clear guidelines to ensure that their practice contributes appropriately to the experience of all members of the Red Balloon community.

This code sets out expected standards of conduct. It applies to all colleagues, 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 the high standards of behaviour expected: what is acceptable and what is not.

The code is binding. Breaches of the code and the standards expressed in it could result in disciplinary action, up to and including the possibility of dismissal, for serious offences. Trustees hope that any such action will not be necessary and that all staff will ensure they read and comply with the code and act in accordance with it.

Policy statement, provision and safeguards

Responsibility for Implementation

It is the responsibility of the Executive headteacher to ensure that every member of staff has read and understood this code of conduct. It is subsequently the responsibility of each member of staff to ensure that they practise in accordance with the requirements of the code.

It is essential that all staff:

- provide a high standard of service in dealings with colleagues, students, parents and other stakeholders whether this is in person, by telephone, letter, email or other electronic messaging system which are expressly permitted by Red Balloon;
- always use appropriate language and never demean, offend or cause distress to others;
- respect the rights of others and treat them with dignity;
- comply with all safeguarding requirements described within relevant Red Balloon policies and the DfE statutory guidance Keeping Children Safe in Education Sept, 2020 (or amendments thereafter);
- understand and implement Red Balloon's Behaviour for Learning Policy, including the absolute ban on any form of corporal punishment.

- All staff should understand that the core rights to: be treated with respect; feel safe physically and emotionally; learn, apply equally to every member of a Red Balloon community, thus they should seek to ensure that their own rights and those of others are upheld at all times.

Core expectations of all staff

- ensure the rights of all members of the community are upheld;
- abide by and contribute to health and safety procedures;
- arrive promptly for work (in good time to be prepared to receive students, or, as directed, for start of day meetings);
- arrive in good time for all commitments during the day;
- provide any written documentation as requested by their centre headteacher or other senior manager promptly;
- abide by the organisation's data protection policy;
- use centre resources, including all technology and any that provide access to the internet, responsibly;
- manage their personal usage of the internet responsibly, particularly any use they make of social networking sites;
- Continuously and consistently contribute positively to all aspects of the organisation that they work within;
- always act in accordance with the law;
- understand and act in accordance with their safeguarding responsibilities.

All staff have a 'duty of care': Staff are accountable for the way in which they:

- exercise authority,
- manage risk,
- use resources,
- safeguard children.

All staff have a responsibility to keep students safe and to protect them from abuse (sexual, physical and emotional) and neglect. Also staff must understand and be vigilant about the risk posed to students through radicalisation and extremism and to female students through female genital mutilation. Any concerns must be shared in line with safeguarding policy requirements.

Students have a right to be safe and to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure their safety and wellbeing. Failure to do so may be regarded as professional misconduct. The safeguarding culture of a school is, in part, exercised through the development of respectful, caring and professional relationships between adults and students and behaviour by the adult that demonstrates integrity, maturity and good judgement.

It is a core element of Red Balloon philosophy that staff and students contribute to the community: staff are part of a working team – that team is strongest when all work together and support each other – where there is disagreement, that should be calmly and openly discussed, in a constructive manner, without animosity, and outcomes accepted.

Health and Safety: RBNWL has a health and safety policy detailing the responsibilities of all members of the community. All staff must read, understand and comply with this policy. All staff have a legal responsibility to contribute to a safe working environment.

Appearance and Dress

Whilst Red Balloon makes no absolute stipulations regarding dress, there is an expectation that all staff remember that:

- students look to them as role models;
- dress should be appropriate for the workplace - and staff should work to enable students to understand 'appropriate' dress codes for particular environments;
- nothing should be worn that indicates political bias;
- nothing should be worn that carries a written inscription that might cause offence;
- students have a right to expect that staff take some care over their appearance at work.

Hours of Work and Attendance

Staff should maintain high personal standards in terms of attendance and punctuality. It is a crucial aspect of modelling behaviour for students.

Sickness Absence

All staff are expected to follow the organisation's absence reporting procedure when they are absent from work due to illness or injury, as described in the absence policy.

This procedure includes notification as early as possible on the first day of absence, keeping the school informed where absence continues, and meeting requirements for the provision of medical certificates. Red Balloon may apply the Bradford Factor, at its discretion, when monitoring frequent and persistent absence from work.

Prompt submission of reports and other written documentation

Staff are expected to provide regular reports and planning documentation. Appropriate members of the SLT will advise appropriate timescales for submission: staff should adhere to these.

Sensitive Information and Confidentiality

It is expected that staff will use sensitive information appropriately and have due respect for confidentiality. Staff should ensure that they:

- know what information the school treats as confidential (Centre headteachers can clarify this);
- know who is entitled to have access to what information (again Centre headteachers can clarify);
- are responsible and professional in using and allowing access to personal information regarding students, parents / carers, staff, trustees and any other 'involved persons';
- use personal information in line with the principles of the GDPR (General Data Protection Regulations 2018 - the organisation has a data protection policy that incorporates GDPR).

Staff may have access to confidential information about students and their families. This must be kept confidential at all times and only shared when legally permissible to do so and in the interest of the child. Records should only be shared with those who have a legitimate professional need to see them. Staff should never use confidential or personal information about a student or her/his family for their own advantage (or for that of others including partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, harass or embarrass the young person. Confidential information 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.

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 safeguarding responsibilities. If a child – or their parent(s) / carer(s) – make(s) a disclosure regarding abuse or neglect, the member of staff must follow safeguarding procedures. Staff must not promise confidentiality to a child or parent, but should give reassurance that the information will be treated sensitively.

Use of Centre Resources (including access to the internet)

Staff are expected to take care of all centre resources and to ensure that students do the same.

Red Balloon communications systems and equipment, including electronic mail and Internet systems, along with their associated hardware and software, are intended for official and authorised purposes. Centre Headteachers may authorise personal use provided that such use:

- does not interfere with the performance of professional duties;
- is of reasonable duration and frequency;
- does not overburden the system or create any additional expense to the centre.

Centre Headteachers must consider carefully and make informed professional judgement re discretionary use for any other purpose.

Staff are expected to conduct themselves honestly and appropriately on the internet, and to respect the copyrights, software licensing rules, property rights, privacy and prerogatives of others. Internet users are prohibited from transmitting or downloading material that is obscene, pornographic, threatening, racially or sexually harassing, or in any way contravenes equal opportunities legislation.

No sites known to contain offensive or potentially 'radicalising' material may be visited via Red Balloon equipment.

General standards of behaviour

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 confidence and respect of the general public and those with whom they work.

There may be times where an individual's actions in their personal life come under scrutiny from the community, the media or public authorities, including with regard to their own children, or children or adults in the community. Staff should be aware that their behaviour, either in or out of the workplace, could compromise their position within the work setting in relation to the protection of children, loss of trust and confidence, or bringing the employer into disrepute. Such behaviour may also result in disqualification from childcare, prohibition from teaching by the TRA (Teaching Regulation Agency), a bar from engaging in regulated activity, or action by another relevant regulatory body.

Issues arising through curriculum delivery

Many areas of the curriculum can include or raise subject matter that is sexually explicit or of a political, religious or otherwise 'sensitive' nature. Staff must ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified. Teaching materials should always present the range of views / interpretations available. Ground rules to ensure sensitive topics can be discussed in a safe learning environment should be negotiated with students. Staff must tread carefully in particular areas of risk and sensitivity and care should especially be taken in those areas of the curriculum where usual boundaries or rules are less rigorously applied eg drama. Staff must always discuss potential or actual difficulties openly with colleagues and managers.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit, political or otherwise sensitive nature. Responding to children's questions requires careful judgement and staff should take guidance, particularly around sexual issues, from the Designated Safeguarding Lead.

Care should be taken to comply with the promotion of fundamental British values (respect, liberty, democracy and the law).

Parents have the right to withdraw their children from all or part of any relationships and sex education provided but not from the national curriculum for science.

Social Contact Outside the Workplace

It is acknowledged that staff may have genuine friendships and social contact with parents of students, independent of their professional relationship. Staff should, however, be aware that professionals who sexually harm children often seek to establish relationships and contact outside of the workplace with both the child and their parents, in order to 'groom' the adult and the child and/or create opportunities for sexual abuse.

It is also important to recognise that social contact may provide opportunities for other types of grooming such as for the purpose of sexual exploitation or radicalisation.

Staff should recognise that some types of social contact with students or their families could be perceived as harmful or exerting inappropriate influence on children, and may bring the setting into disrepute (eg attending a political protest, circulating propaganda).

If a student or parent seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise their professional judgement. This also applies to social contacts made through outside interests or the staff member's own family.

Some staff may, as part of their professional role, be required to support a parent or carer. If that person comes to depend upon the staff member or seeks support outside of their

professional role, this should be discussed with senior management and, where necessary, referrals made to the appropriate support agency.

Communication with students

Communication with children both in the 'real' world and the 'virtual' world (eg through web based and telecommunication interactions) should take place within explicit professional boundaries. This includes the use of computers, tablets, phones, texts, emails, instant messages, social media such as Facebook, Twitter, Snapchat, Instagram and TikTok, chat-rooms, forums, blogs, websites, gaming sites, digital cameras, videos, web-cams and other handheld devices (given the ever changing world of technology it should be noted that this list gives examples only and is not exhaustive.)

Staff should not request or respond to any personal information from children other than which may be necessary in their professional role. They should ensure that their communications are open and transparent and avoid any communication which could be interpreted as 'grooming behaviour'.

This means that adults should:

- not seek to communicate/make contact or respond to contact with students outside of the purposes of their work;
- not willingly, or inadvertently, give out their personal details;
- use only equipment and internet services provided by the centre for professional contact;
- follow the centre's agreement re 'use of technology';
- ensure that their use of, and communication through, technologies could not bring Red Balloon into disrepute.

Staff should not give their personal contact details to children eg email address, home or mobile telephone numbers, details of web based identities. If children locate these by any other means and attempt to contact or correspond with the staff member, the adult should not respond and must report the matter to their manager.

NB Given the intention of Red Balloon to be supportive to all students and their families, there may be exceptions to the above. If this is the case, staff should protect themselves, the student and her/his family, and Red Balloon by making sure that a record is made detailing the reason(s) for the exception and ensure that a senior manager (preferably the DSL and / or Executive Headteacher) is aware of the arrangement.

Personal use of social media / networking sites

Staff should not post photos of staff or school events on any social media site without eliciting consent from those featured in pictures.

In cases wherein staff use social media / networking sites, they should remember that students may have access to those sites, thus it is their responsibility to ensure that any information posted there is either saved in a manner that makes it inaccessible to students or is of a nature that is appropriate to be viewed by them.

Use of camera phones

Staff must ensure that they do not take, or store, photographs of students or colleagues on personal equipment.

Staff Relationships

Most social and personal relationships at work need not present a difficulty, and can be entirely beneficial in that they promote good working relationships. Whilst it is not RBNWL's intention to infringe upon the private lives of its staff, it does expect that all staff should conduct themselves at all times in ways that are consistent with RBNWL values and with fairness and impartiality. In particular, the recruitment, selection, treatment, rostering, development and promotion of staff should be based solely on evidence and not be in any way affected by personal relationships at work.

Due to this, RBNWL expects personal relationships involving direct line management to be avoided where possible. Where personal relationships occur between staff, it is the responsibility of both individuals to avoid any actual or potential conflicts of interest or favouritism.

Staff should declare to the Executive Headteacher, any existing personal relationships they have with other staff members and those which come into being in future must also be declared. That is one which may give rise to an actual or potential conflict of interest, abuse of power or more or less favourable treatment. The Executive Headteacher will treat these matters in confidence and in consultation with the staff, find ways in which these potential conflicts can be avoided.

In the interests of transparency, consideration should be given as to whether or not it would be beneficial to inform colleagues of the existence of the personal relationship. However, as a general rule, all declarations of personal relationships should be treated in confidence, unless all the individuals involved in the personal relationship agree to make it public. If it is agreed that the personal relationship will be made public, the best way of doing this should be discussed and agreed in advance, which may involve the Executive Headteacher, or those in the personal relationship informing others.

Declarations of personal relationships should be recorded in writing and placed on the staff members' Personal File(s). It is recommended that any declaration is reviewed annually or sooner if circumstances change.

Employees who declare a personal relationship at work, should be treated fairly and not suffer any detriment. Employees who are uncertain about whether they need to declare a personal relationship may discuss the matter in confidence with the Executive Headteacher. Generally, they will be advised to declare the relationship where there is likely to be any risk of a potential conflict of interest, abuse of power or more or less favourable treatment.

Where a personal relationship, or failure to comply with this policy (following investigation), results in an unfair advantage or disadvantage to either of the parties to the relationship, favouritism or bias, the matter will be considered seriously by the headteacher.

It is any negative impact on work, resulting favouritism or the failure to declare a personal relationship that would cause RBNWL's Disciplinary Policy to be applied, not the personal

relationship itself.

Physical contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children, however, it is crucial that they only do so in ways appropriate to their professional role and in relation to the student's individual needs and any agreed care plan. Not all children feel comfortable about certain types of physical contact; this should be recognised and, wherever possible, adults should seek the student's permission before initiating contact and be sensitive to any signs that they may be uncomfortable or embarrassed. Staff should acknowledge that some students are more comfortable with touch than others and/or may be more comfortable with touch from some adults than others. Staff should listen, observe and take note of the child'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 young person.

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 child. Any physical contact should be in response to the student's needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. Staff must, therefore, use their professional judgement at all times.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action by them or a colleague could be misinterpreted, or, if an action is observed which is possibly abusive, the incident and circumstances should be immediately reported to the DSL or Executive Headteacher and recorded. Where appropriate, the DSL should consult with the Local Safeguarding Children Board.

Extra caution may be required where it is known that a child has suffered previous abuse or neglect. Staff need to be aware that the child may associate physical contact with such experiences. They also should recognise that students who have been subject to such experience may seek out inappropriate physical contact. In such circumstances staff should deter the child sensitively and help them to understand the importance of personal boundaries.

A general culture of 'safe touch' should be adopted.

Where some contact is necessary within the curriculum (eg within drama or PE), it should take place in a safe and open environment (ie one easily observed by others) and last for the minimum time necessary. The extent of the contact should be made clear and undertaken with the permission of the student.

Contact should be relevant to their age and understanding and staff must remain sensitive to any discomfort expressed verbally or non-verbally by the student.

Staff are allowed to restrain a student (see Use of Reasonable Force Policy for further information) to prevent the student from:

- hurting another member of the community;
- damaging property or the fabric of the building;
- causing 'disorder'.

It is not anticipated, however, that such action will be required within a Red Balloon Centre. If it is required, it may indicate that the student is unsuitably placed.

Transporting students

For safeguarding reasons staff should not as a matter of course transport students, certainly not individual students. There may be exceptions to this (eg student is left stranded after a trip, student requires emergency transport for medical treatment). Any decision re the provision of such transport must be made 'in the best interests of the child'. Further guidance is provided in the organisation's Lone Worker Policy.

Where staff are required to transport a group of students for a specific reason, they must ensure that they have the necessary insurance cover, and that a risk assessment has been completed and any actions required have been followed.

If a vehicle (eg minibus) is hired to transport students, the vehicle must carry the required first aid materials and the driver must ensure her/himself of its roadworthiness.

Supervision of students where change of clothing is required

In any instance where students are required to change (eg swimming sessions, use of gym facilities), staff must respect students' privacy. Arrangements will differ according to the facility being used: some offer individual private changing areas, others utilise common areas. Staff must take into account the wishes of students, consider the wellbeing of the students and ensure they are appropriately supervised in public places. In any instance where staff are unsure as to 'best practice' they should discuss their concerns with either the Executive Headteacher or the DSL.

Giving and accepting gifts to / from students

Under no circumstance should a member of staff give a gift to a child. Centres may provide some celebratory food or 'token' on a student's birthday or time of leaving, but that must come from the whole staff group, not from an individual.

As a general guide, students and parents should be discouraged from giving gifts to staff. Very small tokens of thanks (eg at Christmas) are acceptable, but if parents or students offer anything more, the offer should be declined. Should that refusal cause concern, then the issue should be passed on to the Executive Headteacher for resolution.

Smoking / vaping

Staff must never smoke or vape whilst on Red Balloon premises or in the company of students.

Trips (day and residential)

Staff are expected to adopt the highest standards of behaviour when 'out' with students. Whilst responsible for students (eg throughout a residential trip), staff must not consume alcohol or take drugs (other than those which are medically prescribed). The use of illegal drugs whilst responsible for students may lead to dismissal.

Sexual Conduct

Any sexual behaviour by a member of staff with or towards a student is unacceptable, is illegal with a student under 18 years of age, and will always be a matter for criminal and/or disciplinary action.

Students are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions depending on their age and understanding. This includes the prohibition of sexual activity with children by adults in a position of trust.

Sexual activity involves physical contact including penetrative and non-penetrative acts, however it also includes non-contact activities, such as causing or encouraging students to engage in or watch sexual activity, or the production of pornographic material.

It is always inappropriate for staff members to have a sexual relationship with an ex-student, due to the power imbalances that would exist in such a relationship. It is forbidden for staff members to have sexual relationships with ex-students, unless in a case where the student has reached the age of 25 years. Contravention of this requirement will result in disciplinary action.

There are occasions when adults embark on a course of behaviour known as 'grooming' where the purpose is to gain the trust of a child, and manipulate the relationship so sexual abuse can take place. All staff will undertake appropriate training so they are fully aware of those behaviours that may constitute 'grooming' and of their responsibility to always report to a senior manager any concerns about the behaviour of a colleague which could indicate that a student is being groomed.

Dealing with Infatuation

There are occasions when, despite there being nothing other than absolutely professional behaviour on the part of a member of staff, a student becomes infatuated with her/him. Under any circumstance where a member of staff perceives there to be such occurrence (there is a distinct difference between infatuation and affection / liking), s/he must discuss the situation with her/his Centre Headteacher. It is difficult to prescribe a specific course of action that will then ensue, but it is essential that 'appropriate' plans are made and action taken to attempt to ensure that the 'infatuation' is brought to an end, but that any action taken does not damage the self esteem of the student.

Keeping Within the Law

Staff are expected to operate within the law. Proven unlawful or criminal behaviour, at work, or outside work, will lead to internal disciplinary action.

Any member of staff who is charged with any crime must notify the Executive Headteacher (Headteachers should notify a member of the trustee board) immediately. The Executive Headteacher will consider whether that charge should lead to further internal disciplinary action. If the offence is of a sufficiently serious nature, it may lead to immediate dismissal.

Whistleblowing

Staff must read and agree to implement the organisation's Whistleblowing Policy. Whenever staff have concern regarding the practice of a colleague or volunteer, they must raise that

concern with the headteacher or designated safeguarding lead person should it concern child protection. The manner in which concerns must be raised and the process that will be followed as a result are both clearly described within the Whistleblowing Policy.

Low Level Concerns

Staff who have any concern about a colleague's professional conduct in relation to students should read the separate "Low Level Concern" policy.

Variation

Red Balloon reserves the right to make reasonable changes to this Code of Conduct at any point in future.

Legislation / Guidance that informs this policy:

- Teachers' Standards (Gov.UK 2012 updated 2013)
- Guidance for Safer Working Practice for those working with Children and Young People in Educational Settings (2015)
- Keeping Children Safe in Education (Gov.UK Sept 2021)

Other Red Balloon policies that should be read in conjunction with this one:

- Complaints
- Dealing with Allegations of Abuse against Staff
- Behaviour for Learning
- Whistleblowing
- Safeguarding
- Use of Reasonable Force
- Use of Technology