



AMDG

**Academic Year 2021-22**

CROSS CAMPUS CODE OF CONDUCT & SAFER WORKING PRACTICES FOR STAFF	
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# **PURPOSE, APPLICATION AND GUIDING PRINCIPLES**

## **I. PURPOSE**

- I.1. Members of Staff have a crucial role to play in shaping the lives of our pupils. They have a unique opportunity to interact with them in ways that are both affirming and inspiring. This Code has been produced to help Staff at Stonyhurst to establish a safe and responsive environment which protects Staff and safeguards pupils.
- I.2. All members of staff are required to familiarise themselves with and comply with this Code, which is available to view on the staff intranet and on the public area of our website. All new staff receive training on the Code as part of their induction programme (it forms part of the safeguarding training) and all staff will be made aware of any important changes to the Code. Parents and pupils know from the Stonyhurst website that staff have a Code of Conduct, the purpose of which is to provide a safe environment for all, and which outlines their professional responsibilities to pupils and themselves.
- I.3. It is equally important that relationships with fellow Staff, visitors, pupils and their parents or carers should be reasonable and mutually respectful at all times. This Code has been formulated in order to maintain this balance.
- I.4. This Code takes into account the draft Department of Education Guidance 'Keeping children safe in education 2021' and the Safer Recruitment Consortium's 'Guidance for safer working practices for those working with children and young people in education settings' and should be read in conjunction with Stonyhurst's Safeguarding Policy and Handbook.
- I.5. The purpose of the Code is to:
  - confirm and reinforce the professional responsibilities of Staff (both academic/pastoral and support);
  - clarify the legal position in relation to sensitive aspects of Staff/pupil relationships;
  - set out the expectations of standards and behaviour to be maintained within Stonyhurst;
  - help members of Staff exercise their duties in a way that safeguards pupils and protects Staff themselves from unfounded or malicious allegations.

## **2. APPLICATION**

The Code of Conduct (“Code”) applies to all staff working at or for Stonyhurst College and Stonyhurst Saint Mary’s Hall (“Stonyhurst”), whether paid or unpaid, whatever their position, role or responsibilities and including employees, agency staff, contractors, volunteers and governors (“Staff”).

## **3. YOUR DUTY**

It is the duty of every member of Staff to observe the rules and obligations in this Code. You should follow the guidance set out in this Code unless there is a good reason not to follow it in a particular case.

## **4. GENERAL CONDUCT**

- 4.1. Consistent with our Jesuit values and our commitment to promoting Fundamental British Values, you must ensure that you treat Staff, visitors to Stonyhurst, pupils and their parents and carers impartially and with dignity and respect.
- 4.2. You should remember that Stonyhurst is not just a place of work and study, but also a home to many of our pupils and members of Staff, and your language and behaviour whilst at Stonyhurst must be conducive to constructive and harmonious relationships.
- 4.3. You have a duty to be sensitive to the impact you have on the people around you, and you should recognise that what is acceptable to one person (you, perhaps) might not be acceptable to another.
- 4.4. Abusive language and/or aggressive behaviour from Staff will not be tolerated and may result in disciplinary action and possibly summary (immediate) dismissal.

## **5. DUTY OF CARE**

- 5.1. Members of Staff employed by Stonyhurst who come into contact with pupils in their work, have a Duty of Care to safeguard and promote the welfare of those pupils.
- 5.2. You are expected to act professionally and take all reasonable steps to provide a safe and supportive environment which secures the well-being and very best outcomes for the pupils in our care. Each member of Staff has a duty to keep the pupils safe and to protect them from sexual, physical and emotional harm. Failure to do so may be regarded as neglect.
- 5.3. Your Duty of Care should, in part, be exercised through the development of respectful and caring relationships between Staff and pupils. Your behaviour should at all times demonstrate integrity, maturity and good judgement. By working at

Stonyhurst, you understand and acknowledge the responsibilities and trust inherent in your role.

- 5.4. As a member of Staff, you also have a Duty to take care of your own health and safety, and that of others (including colleagues, pupils and visitors) who may be affected by your actions at work.
- 5.5. Governors also have a Duty of Care for the health, safety and well-being of Staff and must ensure that Staff are treated fairly and reasonably in all circumstances.

## **6. PRINCIPLES FOR ALL STAFF**

6.1. The following underpinning principles should inform the behaviour of all Staff working with pupils at Stonyhurst:

- The welfare of the child is paramount;
- It is the responsibility of all Staff to recognise their Duty of Care and safeguard and promote the welfare of our pupils;
- All Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions;
- All Staff should work, and be seen to work, in an open and transparent way;
- The same professional standards should always be applied regardless of the culture, disability, gender, language, racial origin, religious belief and/or sexual identity of the person you are dealing with;
- All Staff should continually monitor and review their practice and ensure they follow the guidance contained in this Code.

6.2. All Staff should put the wellbeing, development and progress of all pupils first by:

- taking all reasonable steps to ensure the safety and wellbeing of pupils under their supervision;
- using professional expertise and judgment for the best interests of pupils in their care;
- demonstrating self-awareness and taking responsibility for their own actions and for providing help and support to pupils;

- raising concerns about the practices of teachers or other professionals where these may have a negative impact on pupils' learning or progress, or may put pupils at risk;
- being familiar with Stonyhurst's safeguarding policies and procedures;
- being aware that they are in a position of trust (i.e. the adult is in a position of power or influence over the pupil due to his or her work); that the relationship is not a relationship between equals and that this position must never be used to intimidate, bully, humiliate, coerce or threaten pupils.

6.3. All Staff should demonstrate respect for diversity and take steps to promote equality by:

- acting appropriately and sensitively, and in accordance with this Code of Conduct, towards all pupils, parents, carers and colleagues;
- addressing and reporting issues of discrimination and bullying whenever they arise;
- helping to create a fair and inclusive environment

6.4. All Staff should maintain public trust and confidence in Stonyhurst by:

- demonstrating honesty and integrity;
- understanding and upholding their duty to safeguard the welfare of children and young people;
- maintaining reasonable standards of behaviour whether inside or outside of normal working hours and whether on or off Stonyhurst premises.

6.5. All Staff should work as part of a unified Staff body by:

- developing productive and supportive relationships with colleagues;
- exercising any management responsibilities in a respectful, inclusive and fair manner;
- complying with all Stonyhurst policies, procedures and the reasonable directions of their respective line managers and other senior members of Staff;
- upholding Stonyhurst's reputation and standing within the local community and building trust and confidence in it;



- recognising and respecting the Jesuit identity, ethos and educational traditions of Stonyhurst.

## **7. ADDITIONAL PRINCIPLES FOR TEACHERS**

7.1. Teachers should take responsibility for maintaining the quality of their teaching practice by:

- meeting the professional standards for teaching applicable to their role and position, as set out in the Department for Education's Teachers' Standards: [www.gov.uk/government/publications/teachers-standards](http://www.gov.uk/government/publications/teachers-standards)
- reflecting on their current practice and seeking out opportunities to develop knowledge, understanding and skills;
- helping pupils to become confident and successful learners;
- establishing productive relationships with parents and carers by:
  - a) providing accessible and accurate information about their child's progress;
  - b) involving them in important decisions about their child's education;
  - c) complying with this Code.

## **GUIDANCE ON STAFF / PUPIL RELATIONSHIPS**

### **8. APPLICATION**

- 8.1. Professionalism and vigilance are required so as to ensure the safety and well-being of children and young people in our care, and to reduce the risk of an allegation of impropriety against a member of Staff.
- 8.2. Forming inappropriate relationships with children or young people who are pupils at Stonyhurst or at another School may be regarded as gross misconduct, and may result in criminal prosecution.
- 8.3. Referral to the Disclosure and Barring Service is a legal requirement and therefore standard procedure when we consider a member of Staff to be unsuitable to work with children.
- 8.4. If an individual referred to the DBS is a teacher, Stonyhurst may also decide to make a referral to the Department for Education and the Teaching Regulation Agency.

### **9. DIFFICULT DECISIONS**

- 9.1. There may be occasions and circumstances in which Staff have to make decisions or take action in the best interests of the pupil which could contravene what is published in this Code or as a reaction when no guidance exists.
- 9.2. Members of Staff are expected to make judgements about their behaviour in order to secure the best interests and welfare of the pupils in their charge.
- 9.3. Such judgements, in these circumstances, should always be recorded and shared with a senior member of Staff (Headmaster; Headmaster SMH; Senior Deputy Head; College / SMH DSL).

### **10. GENERAL GUIDANCE**

- 10.1. You should be aware of the general guidance that will apply in all cases. In particular you:
  - need to exercise professional judgment but always act within the spirit of these guidelines. If you are involved in a situation where no specific guidance exists, you should discuss the circumstances with a senior colleague. A written record should be kept that includes justification for any action taken;

- must be familiar with procedures for reporting allegations against Staff;
- must be aware of the Stonyhurst's safeguarding policies and procedures;
- must seek guidance from a senior colleague if you are in any doubt about appropriate conduct;
- must report any actions which could be misinterpreted, any misunderstandings, accidents or threats involving you and a pupil or a group of pupils to a senior colleague.

## **11. BEHAVIOUR GIVING PARTICULAR CAUSE FOR CONCERN**

11.1. You should take particular care when dealing with a pupil who:

- appears to be emotionally distressed, or generally vulnerable and/or who is seeking expressions of affection;
- appears to hold a grudge against you;
- acts in a sexually provocative way, or who is inclined to make exaggerated claims about themselves and others, or to fantasise, or one whose manner with adults is over-familiar;
- may have reason to make up an allegation to cover the fact that he or she has not worked hard enough for public examinations.

## **12. PROCEDURE TO BE FOLLOWED IN THESE CASES**

Some of these behaviours may be indications that a child has been, or is currently being, abused and should therefore be reported to a Designated Safeguarding Lead (DSL), or a Deputy DSL if the DSL is unavailable, under Stonyhurst's safeguarding procedures.

## **13. RECORD KEEPING**

Comprehensive records are essential. Any incident involving children or young people that could give cause for concern, whether contemplated in these guidelines or not, should be recorded, with justifications for any action taken. In addition, any incident should be reported promptly to a senior colleague.

## **14. CONFIDENTIALITY**

- 14.1. Members of Staff may have access to confidential information about Staff, pupils, parents and others in order to undertake their responsibilities.
- 14.2. In some circumstances they may have access to or be given highly sensitive or private information. These details must be kept confidential and must be processed pursuant to Stonyhurst's Data Protection Policy. Any member of Staff who processes personal information must comply with Stonyhurst's Data Protection Policy at all times.
- 14.3. In certain situations it may be necessary, for safeguarding or other reasons, to share confidential data concerning pupils or members of staff with external organisations or individuals. When considering whether they are able to share this data, Staff should as a starting point check that the sharing accords with Stonyhurst's Privacy Notice. If not, then they should try to obtain the permission of the person whose data they are contemplating sharing –if this is inappropriate or impractical, then the member of Staff should refer to the Data Sharing Checklist guidance set out in Stonyhurst's Data Protection Policy, which gives advice on when information should be shared. Staff should seek advice from the Legal Adviser or the Bursar if they are still unsure.

## **15. GENERAL BEHAVIOUR**

Whilst at work, Staff should always consider whether their actions are warranted, proportionate, safe and applied equitably. It is expected that Staff will adopt high standards of personal conduct in order to maintain the confidence of management and all those with whom they work. All Staff need to understand that safe practice also involves using good judgement and acting with integrity outside of the work setting. You are expected to ensure that your personal life does not diminish your professional effectiveness or bring Stonyhurst into disrepute, nor must you allow your personal lifestyle and attitudes to suggest to pupils that a non-professional relationship is possible. Misuse of drugs, alcohol or acts of violence or aggression may be considered to make a member of Staff unsuitable to work at the school.

## **16. ALLEGATIONS**

Allegations of unprofessional conduct or improper contact can arise at any time. Tensions and misunderstandings can occur and it is here that the behaviour of adults can give rise to allegations of abuse being made against them. Allegations may be malicious or misplaced. Equally, it must be recognised that some allegations may be genuine and there are adults who may deliberately seek out, create or exploit opportunities to abuse children. Allegations of misconduct towards children/pupils, by members of Staff, will be dealt with through our Managing Allegations Against Staff Policy.

## **CONDUCT AROUND PUPILS**

### **17. POWER AND POSITIONS OF TRUST**

As a result of their knowledge, position and/or the authority invested in their role, all Staff working with pupils are in a position of trust in relation to the pupils in their care. Broadly speaking, a relationship of trust can be described as one in which one party is in a position of power or influence over the other, by virtue of their work or the nature of their activity. It is vital for all those in positions of trust to understand the power this can give them over those they care for and the responsibility they must exercise as a consequence of this relationship.

### **18. BALANCE OF POWER**

A relationship between a member of Staff and a pupil cannot be a relationship between equals; members of Staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

### **19. PROFESSIONAL DISTANCE**

Staff are expected to observe a professional relationship and observe professional boundaries with pupils. This means that they should not allow proper care and interest in a pupil's welfare, interests or academic progress to become a friendship on equal terms or appear to be an indication that a friendship on equal terms is desired or available.

### **20. SEXUAL CONTACT AND GROOMING**

See paragraphs 60, 61 and 62.

### **21. COMMUNICATION WITH PUPILS**

Under normal circumstances most communication will be in a professional context: academic matters or school activities. Any communication between pupils and Staff outside that context should still take place within professional boundaries. This includes communication by letters, mobile phones, text messaging, emails, digital cameras, videos, web-cams, websites (social networking) or blogs. Staff must not give their personal contact details to pupils (including personal email, home or mobile telephone numbers) unless the need to do so is agreed with senior management and with the consent of parents.

### **22. GOOD ORDER AND DISCIPLINE**

Academic and pastoral Staff (and other Staff in charge or control of pupils) must maintain good order and discipline at all times when pupils are present on the Stonyhurst campus and whenever pupils are engaged in authorised Stonyhurst activities, whether on the

Stonyhurst campus or elsewhere. Staff are required to comply with the relevant behaviour policy, and to report any instances when they have deviated from the policy.

## **23. BEHAVIOUR MANAGEMENT**

- 23.1. All pupils have a right to be treated with dignity and respect even in those circumstances where they display difficult or challenging behaviour. Staff should not use any form of degrading treatment to punish or humiliate a child. The use of sarcasm, demeaning or insensitive comments towards pupils is not acceptable in any situation. Any sanctions or rewards used should accord with Stonyhurst's Behaviour Policy.
- 23.2. Where pupils display difficult or challenging behaviour, Staff should try to defuse the situation before it escalates and must follow the Behaviour Policy using strategies appropriate to the situation. The use of physical intervention can only be justified in exceptional circumstances and should be used as a last resort when other strategies have failed (see below for further information).
- 23.3. Staff should be mindful of factors which may impact upon a pupil's behaviour, e.g. bullying, abuse and where necessary take appropriate action. Where a pupil has specific needs in respect of particularly challenging behaviour, a positive handling plan may be drawn up and agreed by all parties. Only in these circumstances should an adult deviate from the Behaviour Policy.

## **24. PERSONAL CARE**

- 24.1. Pupils are entitled to respect and privacy at all times and especially when in a state of undress, changing clothes, bathing or undertaking any form of personal care. There are occasions where there will be a need for an appropriate level of supervision in order to safeguard them and/or satisfy health and safety considerations. This supervision should be appropriate to the needs and age of the pupils concerned and sensitive to the potential for embarrassment.
- 24.2. Staff must be vigilant about their own behaviour and be mindful of the needs of the pupils with whom they work.
- 24.3. Staff must:
- avoid any physical contact when pupils are in a state of undress;
  - avoid any visually intrusive behaviour;
  - always announce their intention of entering a changing room. Other than in an exceptional emergency male staff should not enter girls' changing rooms nor

female staff enter the boys' changing area whilst pupils are dressing or undressing. It should be noted that in the Foundation Stage and KSI, both boys and girls may change in the same room. They are supervised by members of staff (of either sex) to assist and ensure they are dressed decently, safely and appropriately for the tasks they undertake;

- not change or toilet in the presence of pupils;
- not shower or bathe alongside pupils;
- not assist in any personal care task which a pupil can undertake themselves;
- follow agreed protocols when undertaking intimate care (see paragraph 43 below)

## **25. BEHAVIOUR OF OTHERS**

Staff should be aware that the behaviour of their partner or other family members may raise concerns. Such concerns will be given careful consideration as to whether they constitute a potential risk to pupils at Stonyhurst. In some circumstances, Staff may be disqualified from teaching or otherwise engaging in providing, or managing the provision of, childcare because of their association with a person living or employed in the same household who is disqualified.

## MEETINGS WITH PUPILS

### 26. ONE-TO-ONE MEETINGS

26.1. If you are teaching one pupil, or conducting a one-to-one meeting or teaching session with a pupil, you must take particular care in the following ways:

- when working alone with a pupil is an integral part of your role, conduct and agree full risk assessments with a senior colleague;
- use a room that has sufficient windows onto a corridor so the occupants can be seen, or keep the door open, or inform a colleague that the lesson/meeting is taking place or have a colleague present;
- arrange the meeting during normal hours when there are plenty of other people about;
- do not continue the meeting for any longer than is necessary to achieve its purpose;
- avoid sitting or standing in close proximity to the pupil, except as necessary to check work;
- avoid repeatedly keeping the same individual back after lessons for a discussion about behaviour etc.;
- avoid using "engaged" or equivalent signs on doors or windows;
- avoid idle discussion;
- avoid all unnecessary physical contact and apologise straight away if there is accidental physical contact;
- avoid any conduct that could be taken as a sexual advance;
- report any incident that causes you concern, including any incident of accidental touching, to the DSL (or Deputy DSL if the DSL is unavailable) under Stonyhurst's safeguarding procedures, and make a written record using a yellow form (yellow forms are available from the Human Resources department) or CPOMS, or the online reporting icon on Stonyhurst laptops and desktops;
- report any situation where a pupil becomes distressed or angry to a senior colleague;



- Abide by any prudence codes which are in operation in your department.

## **27. THE USE OF PERSONAL LIVING SPACE**

- 27.1. A pupil should only be in, or be invited into, the home of a member of Staff within established protocols. Staff must be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations. Staff must be mindful of the need to maintain professional boundaries. Under no circumstances should pupils assist with chores or tasks in the home of a member of Staff who works with them. Neither should they be asked to do so by friends or family of that adult.
- 27.2. Boarding staff must never invite boarders into their private accommodation in the boarding house. (Draft NMS for Boarding 2021 20.10)

## **LANGUAGE AND APPEARANCE**

### **28. LANGUAGE**

28.1. You should use appropriate language (written and spoken) at all times when dealing with Staff, visitors, pupils and their parents or carers.

28.2. You should:

- avoid words or expressions that have any unnecessary sexual content or innuendo;
- avoid any form of aggressive or threatening words;
- avoid any words or actions that are over-familiar;
- not swear in front of visitors, pupils, parents or carers (occasional mild swearing in front of close colleagues is permissible providing it is not directed at anyone and is not considered by those present to be offensive);
- not use any sort of offensive language;
- avoid shouting other than as a warning in an emergency or safety situation;
- avoid making unprofessional personal comments;
- avoid the use of sarcasm or derogatory words when punishing or disciplining pupils about anyone. Any sanctions should be in accordance with the School's Behaviour Policy;
- be aware that some parts of the curriculum may raise sexually explicit subject matters. Care should be taken in subjects where rules / boundaries are relaxed (e.g. drama or art). Staff should have clear lesson plans and should take care to avoid overstepping personal and professional boundaries;
- comply with Stonyhurst's email protocol when sending work-related emails (whether or not from your Stonyhurst account) or sending any email from your Stonyhurst email account.

### **29. DRESS**

You should dress appropriately and in a professional manner. Dress must not be offensive, distracting, revealing, or sexually provocative, embarrassing or discriminatory. Political or other contentious slogans or badges are not allowed.

### **30. PHYSICAL RESTRAINT**

- 30.1. All forms of corporal punishment are unlawful; under no circumstances should physical force or intervention be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence.
- 30.2. The Duty of Care, which applies to all adults working with pupils, requires that reasonable measures are taken to prevent pupils being harmed. The use of physical intervention should be avoided if possible. However, by law, Staff may use such force or physical contact as is reasonable and proportionate in the circumstances to prevent a pupil from doing, or continuing to do any of the following:
- injuring themselves or others;
  - causing damage to property, including their own;
  - engaging in any behaviour prejudicial to good order and discipline at Stonyhurst or among any of its pupils, whether that behaviour occurs in a classroom or elsewhere.

### **31. EXAMPLES OF WHEN REASONABLE FORCE MIGHT BE USED**

- 31.1. to remove disruptive pupils from the classroom where they have refused to follow an instruction to do so;
- 31.2. to prevent a pupil behaving in a way that disrupts a school event or a school trip or visit;
- 31.3. to prevent a pupil leaving the classroom where allowing the pupil to leave would risk their safety or lead to behaviour that disrupts the behaviour of others;
- 31.4. to prevent a pupil from attacking a member of Staff or another pupil, or to stop a fight in the playground; and
- 31.5. to restrain a pupil at risk of harming themselves through physical outbursts.

### **32. SEARCHES**

It may be necessary to search a student's space or belongings, and ask him/her to turn out the contents of pockets or a bag, if there is reasonable cause to do so. Clothing will not be searched until it has been removed from the wearer and care will be taken to ensure reasonable privacy. This Code does not authorise an intimate search or physical compulsion in removing clothing. Only outer clothing will be searched. If necessary, the police will be called.

### **33. PHYSICAL INTERVENTION AS LAST RESORT**

33.1. Physical intervention should only be used where no other form of control is available and where it is necessary to intervene. Where physical intervention is used it should be undertaken in a way which maintains the safety and dignity of all concerned. You should always avoid touching or holding a pupil in a way that might be considered indecent.

33.2. You should also avoid any form of aggressive contact such as holding, pushing, pulling or hitting which could amount to a criminal assault, nor act in a way that might reasonably be expected to cause injury.

### **34. BEFORE INTERVENING**

Before intervening physically you should, wherever practicable, tell the pupil to stop and what will happen if he or she does not. You should continue attempting to communicate with the pupil throughout the incident and should make it clear that physical contact or restraint will stop as soon as it ceases to be necessary.

### **35. ACTION TAKEN IN SELF-DEFENCE OR IN AN EMERGENCY**

The law allows anyone to defend themselves against an attack provided they do not use more force than is necessary. Similarly, where a pupil is at risk of immediate injury or on the point of inflicting injury on someone else, any member of Staff would be entitled to intervene.

### **36. INFORM SENIOR STAFF**

You should inform the DSL (or a deputy DSL if the DSL is not available) immediately following an incident where force has been used. This is to help prevent any misunderstanding or misrepresentation of the incident, and it will be helpful in the event of a complaint. You should provide a written report as soon as possible afterwards. If you use CPOMS, then this should be done using the Physical Control/Restraint tab on CPOMS, otherwise you complete and submit a yellow form. Your report should include written and signed accounts of those involved, including the pupil. The parents/carers should be informed the same day.

### **37. USING REASONABLE FORCE**

37.1. There is no legal definition of "reasonable force". It will always depend on the circumstances.

37.2. Note that:

- any use of force should be proportionate to the behaviour of the pupil involved and the seriousness of the harm prevented;
- physical force could not be justified to prevent a pupil from committing a trivial misdemeanour;
- any force should always be the minimum needed to achieve the desired
- result;
- whether it is reasonable to use force and the degree of force that could be reasonably employed might also depend on the age, understanding and sex of the pupil.

## **PHYSICAL CONTACT IN OTHER CIRCUMSTANCES**

### **38. WHEN PHYSICAL CONTACT MAY BE APPROPRIATE**

- 38.1. Physical contact with a pupil may be necessary and beneficial in order to demonstrate a required action, or a correct technique in, for example, singing and other music lessons or during PE, sports and games.
- 38.2. Any physical contact should be in response to the pupil's needs, of limited duration and appropriate to the pupil's age, stage of development, gender, ethnicity and background.
- 38.3. Staff should be aware that even well-intentioned physical contact may be misconstrued by the pupil or an observer; physical contact can be easily misinterpreted and should be limited. Staff should use professional judgement.

### **39. GUIDANCE ON USING PHYSICAL CONTACT:**

39.1. You should observe the following guidelines (where applicable):

- Always be prepared to explain actions and accept that all physical contact will be open to scrutiny;
- Explain the intended action to the pupil – why conduct is necessary and what form it will take;
- Do not proceed with the action if the pupil appears to be apprehensive or reluctant, or if you have other concerns about the pupil's likely reaction;
- Ensure that the pupils can be seen by others, if in a one-to-one situation ensure that the door is open and if you are in any doubt, ask a colleague or another pupil to be present during the activity or demonstration;
- Always encourage pupils to undertake self-care tasks independently where possible;
- Be aware of cultural and religious views about touching and be sensitive to issues of gender;
- Never touch a pupil in a way which may be considered indecent;
- Never indulge in horse-play or play fights with a pupil/pupils;
- Consider alternatives if it appears likely that the pupil might misinterpret the contact.

## **40. REPORT CONCERNS**

If you are at all concerned about any instance of physical contact, including accidental physical contact, inform a senior colleague or DSL (or deputy DSL) without delay, and make a written record on CPOMS, using the Keeping Staff Safe tab, or using a yellow form (available from the Human Resources Department) if necessary.

## **41. OFFERING COMFORT TO DISTRESSED PUPILS**

41.1. Touching may be appropriate where a pupil is in distress and needs comforting. Young children, in particular, may need immediate physical comfort after a fall or a separation from parents. You should use your own professional judgement when you feel a pupil needs this kind of support and should be aware of any special circumstances relating to the pupil. For example, a child who has been abused may find physical contact particularly difficult.

41.2. Where a member of Staff has a particular concern about the need to provide this type of care and reassurance, or is concerned that an action may be misinterpreted, this should be reported and discussed with a senior colleague.

## **42. ADMINISTERING FIRST AID**

42.1. When administering first aid you should explain to the child what is happening and ensure that another adult is present or is aware of the action being taken. The treatment must meet Stonyhurst's health and safety at work rules and intimate care guidelines, and parents should be informed.

42.2. Staff should:

- Comply with the necessary reporting requirements;
- Make other adults aware of the task that is being undertaken, if possible;
- Explain what is happening;
- Report and record the administration of first aid;
- Have regard to any health plans;
- Ensure that an appropriate health / risk assessment is undertaken prior to undertaking certain activities.

42.3. Staff should refer to Stonyhurst's separate First Aid Policy for more information if they are directly responsible for looking after pupils in either an academic or pastoral setting.

#### **43. INTIMATE CARE**

43.1. Sometimes intimate care is required, for example when assisting with toileting or removing wet clothes.

43.2. Staff should:

- advise other Staff of the task being undertaken and consult where there is any change from the agreed procedure. A record should be kept of the justification for any variations and this information should be shared with parents;
- ensure that two members of staff are always present when providing intimate care;
- explain to the child what is happening;
- avoid any visually intrusive behaviour;
- comply with applicable professional codes of practice, as appropriate;
- comply with regularly reviewed, formally agreed plans, as appropriate.

#### **44. WHERE A CHILD HAS BEEN ABUSED**

Where a child has previously been abused, Staff should be informed on a 'need to know' basis, and should be extra cautious when considering the necessity of physical contact. Some pupils may seek inappropriate physical contact. Staff should sensitively deter the pupil and help them understand the importance of personal boundaries. Such incidents should be reported and discussed with senior colleagues and parents/carers.

#### **45. PUPILS WITH SPECIAL EDUCATIONAL NEEDS OR DISABILITIES**

Some pupils may need more physical contact to assist their everyday learning, which should be agreed and understood by all concerned, justified, openly applied and open to scrutiny.



## **46. SOCIAL CONTACT**

You should be aware that where you meet pupils socially, such contact could be misinterpreted as grooming. Any social contact that could give rise to concern should be reported to the DSL or Deputy DSL.

## **47. SCOPE OF APPLICATION OF CODE ON CONTACT OUTSIDE STONYHURST**

The same guidelines should be applied to visits to a pupil's home, clubs, day or overnight school trips or formal or informal social occasions. The principles of this guidance also apply to contact with children who are not pupils at Stonyhurst.

## **48. TRANSPORTING PUPILS**

48.1. There may be some situations when Staff are required to transport pupils, using either the school minibuses or their own vehicle.

48.2. You must:

- ensure that you are fit and legally licenced to drive and free from any substances that may impair your judgement or ability to drive;
- be aware that until the pupil is passed over to a parent/carer or other responsible adult, you have responsibility for that pupil's health and safety;
- record and be able to justify impromptu or emergency lifts;
- ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety, including appropriate insurance, seat belts, adherence to maximum capacity guidelines etc;
- ensure that there are always at least three people in the car at any time unless in the event of a medical emergency;
- if using your own vehicle, ensure that the vehicle is roadworthy, appropriately insured, and that the maximum capacity is not exceeded;
- ensure that all passengers are wearing their seatbelts;
- not offer lifts to pupils outside your normal working duties unless this has been brought to the attention of senior management.

48.3. There may be occasions where a pupil requires transport in an emergency situation (medical or otherwise) or where to not give a lift may place a pupil at risk, in which

case it may be appropriate to provide the pupil with a lift even if this means you will be alone with them in a car. Such circumstances must always be recorded and reported to senior management.

## **49. EDUCATIONAL VISITS**

49.1. When taking part in educational visits and school trips, you should:

- be accompanied by another adult unless otherwise agreed with a senior colleague;
- undertake a risk assessment and ensure that the measures put in place are implemented and adhere to;
- obtain necessary consent (from parents/carers or, if appropriate, pastoral heads);
- never share a bedroom with a pupil, unless s/he is a member of your immediate family.

# **COMMUNICATION WITH PUPILS (INCLUDING THE USE OF TECHNOLOGY)**

## **50. APPLICATION**

These rules apply to any form of communication including technologies such as mobile telephones, web-cameras, social net-working websites and blogs.

## **51. ACCEPTABLE USE**

- 51.1. Staff must establish safe and responsible online behaviours and must at all times comply with Stonyhurst's Acceptable Use Policy, Bring Your Own Device Policy, Staff Social Media Policy.
- 51.2. Staff must ensure that their use of technologies inside or outside of work does not and could not bring Stonyhurst into disrepute.

## **52. PERSONAL DETAILS**

Staff should not give their personal contact details to pupils, including personal e-mail addresses, home or mobile telephone numbers, unless the need to do so is agreed with senior colleagues and parents/carers.

## **53. COMMUNICATING OUTSIDE THE AGREED PROTOCOLS**

Staff must not seek to communicate with pupils, other than members of their own family, outside of their purposes of work. Communications between a member of Staff and a pupil outside agreed protocols may lead to disciplinary and/or criminal investigations. This also includes communications through internet-based websites.

## **CODE OF CONDUCT FOR PHOTOGRAPHS AND VIDEOS**

### **54. TAKING, STORING AND USING IMAGES OF PUPILS**

Staff should refer to and comply with Stonyhurst's Taking, Storing and Using Images of Pupils Policy when recording or processing the image of any pupil.

### **55. APPROPRIATE MATERIAL**

You must ensure pupils are not exposed to inappropriate or indecent images. Inappropriate material, such as pornography, should not be brought to work and you must not use Stonyhurst property to access such material. You should not allow unauthorised access to Stonyhurst equipment and should keep your computer passwords safe. If you discover material that is potentially illegal, you must isolate the equipment and contact your line manager. Pupils must not be exposed to unsuitable material on the internet and Staff should ensure that any film or material shown is age appropriate.

## **GIFTS AND REWARDS**

### **56. ACCEPTING GIFTS AND HOSPITALITY**

Staff should only accept gifts and hospitality where permitted by Stonyhurst's Gifts and Hospitality Policy and, if relevant, Procurement Policy, in which case the procedures set out in those policies must be followed. Care should be taken to ensure that Staff do not accept any gifts that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

### **57. GIVING GIFTS AND REWARDS**

Staff must only offer or give gifts and hospitality to parents, pupils, donors (or prospective parents, pupils or donors), colleagues, contractors or others during the course of their employment/role where permitted by Stonyhurst's Gifts and Hospitality Policy and, if relevant, Procurement Policy. Additionally, gifts or rewards may only be given to pupils where permitted by paragraph 58 below.

### **58. GIVING GIFTS AND REWARDS TO PUPILS**

58.1. Where you are thinking of giving a gift or reward to a pupil:

- it should only be provided as part of an agreed reward system;
- in all cases except the above, the gift or reward should be of little monetary value;
- selection processes should be fair and where possible should be agreed by more than one member of Staff. Methods and criteria for selection should always be transparent and subject to scrutiny;
- gifts should be given openly and not based on favouritism;
- it should comply with Stonyhurst's Gifts and Hospitality Policy.

### **59. ALLOCATION OF GIFTS AND REWARDS**

Decisions regarding entitlement to benefits or privileges such as admission to Stonyhurst trips, activities or classroom tasks must avoid perceptions of bias, grooming or favouritism. The selection process must be based on transparent criteria.

# **SEXUAL CONTACT**

## **60. SEXUAL CONTACT**

60.1. Staff must not, under any circumstances:

- engage in sexual activity with or in the presence of a pupil;
- have sexually suggestive or provocative communications with a pupil;
- make sexual remarks to or about a pupil;
- discuss their own sexual relationships in the presence of pupils;
- cause or incite a pupil to engage in or watch sexual activity.

## **61. APPROPRIATE BOUNDARIES**

61.1. All staff should clearly understand the need to maintain appropriate boundaries in their contact with pupils. It is a criminal offence for a person aged 18 or over, such as a Teacher or other member of staff at a school, to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if, in the case of those over 16, the relationship is consensual.

61.2. Intimate or sexual relationships between pupils and staff, or encouraging or allowing a relationship with a pupil to develop in a way which might lead to a sexual relationship, is a grave breach of trust that will usually lead to disciplinary action and criminal prosecution, referral to the Disclosure and Barring Service and referral to the Department for Education and the Teaching Regulation Agency.

61.3. The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include noncontact activities, such as causing pupils to engage in or watch sexual activity or view pornographic material. The sexual activity may also be on-line.

61.4. Working Together to Safeguard Children defines sexual abuse as “forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening”.

## **62. GROOMING**

There are occasions when adults embark on a course of behaviour known as ‘grooming’ where the sole purpose is to gain the trust of a pupil, and manipulate that relationship so that sexual abuse can take place. Staff should be aware that consistently conferring

inappropriate and special attention and favour upon a pupil might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

### **63. DEALING WITH “CRUSHES”**

Crushes, fixations or infatuations are part of normal adolescent development. However, they need sensitive handling to avoid allegations of exploitation. Such crushes carry a high risk of words, actions and expressions being misinterpreted, therefore, the highest levels of professionalism are required. If you suspect that a pupil has a crush on you or on another colleague, you should self-report it using the Keeping Staff Safe tab on CPOMS, and bring it to the attention of senior colleagues at the earliest opportunity. Suggestions that a pupil may have developed a crush should be reported to senior management so that appropriate action can be taken to avoid any hurt, distress or embarrassment. Staff should avoid being alone with pupils who have developed a crush on them and if the pupil sends personal communications to the member of Staff, this should be reported to the Designated Safeguarding Lead or Deputy Designated Safeguarding Lead.

## **DEALING WITH CONCERNS AND MISCONDUCT**

### **64. REPORTING CONCERNS**

- 64.1. It is the duty of all staff to report any concerns with regard to pupil safety and welfare to the Designated Safeguarding Leader or Deputy DSL so that appropriate action may be taken.
- 64.2. If you suspect that a member of staff is abusing his/her position and behaving inappropriately towards a child, then you must report your concerns to the Headmaster, in which case the Headmaster will seek advice from the Local Authority Designated Officer (LADO).
- 64.3. These concerns may cover a range of what may initially seem to be less serious matters as well as obvious breaches of a duty of care: incautious language and behaviour, as well as misuse of a relationship of trust or actual abuse of a child.
- 64.4. Likewise, if you hear anyone else making allegations against a member of staff, or against you, then you must report this immediately to the Headmaster, who will consider what action to take.
- 64.5. This duty does not depend upon the person reporting the concern having proof of facts underlying the concern but any concern will be investigated in a fair and neutral manner; that is without any preconceptions as to whether the concern is or is not justified.
- 64.6. The school will support staff reporting concerns where the report is made in good faith.

### **65. WHISTLEBLOWING**

Stonyhurst is committed to conducting its business with honesty and integrity, and we expect all Staff to maintain these high standards, in accordance with this Code. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur. We have adopted a Whistleblowing Policy and Procedure to enable Staff to raise concerns internally and in a confidential manner about fraud, malpractice, health and safety issues, damage to the environment, miscarriages of justice, criminal offences and other failures to comply with legal requirements. The policy also provides, if necessary, for concerns to be raised outside the organisation. Please consult our full policy in the event that you have any such concerns.



## **66. CONSEQUENCES OF BREACHING THIS CODE**

66.1. It is in your interests to follow this Code so as to maintain standards of behaviour and your own professional reputation. A breach of this Code may be treated as misconduct and will render you liable to disciplinary action including, in serious cases, dismissal. Depending on the circumstances, a breach may also result in a referral to the police or other relevant agencies.

66.2. This document should be read in conjunction with:

- [Working together to Safeguard Children 2018](#) (with updates re sharing of information, homeless duty, domestic abuse 2020)
- [Keeping Children Safe in Education 2020](#) (draft [Keeping Children Safe in Education 2021](#))
- [Proposed Minimum Standards for boarding schools \(Annex A\)](#)
- [Data Protection Act 2018](#) (allowing safeguarding practitioners consent to share information)
- [The Childcare \(Disqualification\) Regulation 2018](#)
- [Health and Safety: responsibilities and duties for schools 2018](#)
- [Guidance for safer working practice for those working with children and young people in education settings May 2019](#)

## **67. COVID-19**

67.1. During the current Covid-19 Pandemic all Stonyhurst staff must comply with instructions given by the Executive team in relation to Covid-security.

67.2. Stonyhurst has in place a raft of Risk Assessment documentation aimed to keep the whole community safe during the global health emergency.

67.3. Staff should make themselves aware of the processes and procedures which have been put in place at Stonyhurst as part of its commitment to make best endeavours to provide a Covid-secure environment. This information can be found at: [Covid-19 Information - Stonyhurst](#)

67.4. Failure to follow the processes in place may result in disciplinary action being taken in line with the Staff Disciplinary Policy.

67.5. It is the expectation that all staff will comply with Government legislation and be mindful of all guidance provided by relevant Governmental sources and Health authorities in relation to measures introduced at national and/or local level to reduce the spread of the Covid-19 virus.

LDS