



This policy outlines the standards of conduct expected of all Benenden employees and provides links to policies containing more detailed information about expectations of staff with regard to their own conduct and their interactions with pupils. It should be read in conjunction with [Keeping children safe in education](#) (Sept 2016) and, for teachers, the [Teachers' Standards in England](#) (Sept 2012).

This Code of Conduct applies to all employees, regardless of length of service, including those in their probationary period. Any breach of the Code will be treated as a disciplinary issue. As all members of staff have a statutory responsibility to safeguard and promote the welfare of pupils ([Children Act 2004](#)), employees also need to consider how to protect themselves and to understand how their behaviour can be interpreted by others.

Staff should note that this Code is not exhaustive in defining acceptable and unacceptable standards of conduct and they should use common sense in adhering to the underpinning principles. If any member of staff is ever unsure what the expectations are in any given circumstance, they should seek guidance from their line manager or a member of the Senior Management Team.

### **General Conduct**

All staff must behave appropriately and professionally at all times adopting high standards of personal conduct in order to maintain the confidence and respect of others. An individual's behaviour, either in or out of School, in the real or online world, should not compromise his or her position within the School. As recognisable figures in the local community, the behaviour and conduct of staff outside of work can impact on their employment. This means that staff should not behave in a manner which would lead any reasonable person to question their suitability to work with children.

A boarding school is not just a school but a second home for pupils. This alters the nature of relationships somewhat as they tend towards the more informal. That notwithstanding, staff should at all times maintain a professional relationship with pupils and keep a proper professional detachment. In order to maintain a professional standard of conduct, staff must read and follow all the principles and policies as laid out in the Staff Handbook.

### **Honesty and Personal Integrity**

The following statements define the behaviour and attitudes which set the required standard for conduct at School. Staff must:

1. Comply with any lawful or reasonable instructions issued by managers or governors
2. Have proper and professional regard for the ethos, policies and practices of the school and maintain high standards in their own attendance, punctuality and use of working time
3. Treat all members of the School community with respect, dignity, fairness and courtesy at all times
4. Maintain high standards of honesty and integrity in their work. This includes the handling and claiming of money and the use of school property and facilities.

Staff uphold public trust in the School and maintain high standards of ethics and behaviour, within and outside School by showing tolerance of and respect for the rights of others and not undermining fundamental British values (democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs).

## Duty of Care

All staff have a legal 'duty of care' towards the pupils under their protection. The law requires that prudent and reasonable precautions be taken in relation to foreseeable harm. Risk assessments are required for all areas of the School and for all activities in order to fulfil that obligation. Staff must read those risk assessments which are pertinent to their areas of work. All staff must take reasonable care to protect pupils and promote their welfare.

Staff must:

1. Understand the responsibilities which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached (see [Disciplinary Procedure](#))
2. Always act, and be seen to act, in the pupils' best interests
3. Avoid any conduct which would lead any reasonable person to question their motivation and/or intentions
4. Take responsibility for their own actions and behaviour.

## Safeguarding and Promoting the Welfare of Children

All staff are responsible for safeguarding children and promoting their welfare. This means that staff are required to take action to protect children from maltreatment, prevent impairment of children's health or development and ensure that children grow up in circumstances consistent with the provision of safe and effective care.

All employees must be aware of the signs of abuse and neglect and know what action to take if these are identified.

To do this staff must have fully read and understood our safeguarding policies, be aware of our systems for keeping children safe and must follow the guidance in these policies at all times. All staff must cooperate with colleagues and with external agencies where necessary.

## Staff-Pupil Relationships

Staff are in a position of power and trust in relation to pupils, which means that the interaction between a staff member and a pupil (or other young person) cannot be that of equals. Staff must therefore:

1. Treat pupils with dignity, building relationships rooted in mutual respect, and at all times observing proper boundaries appropriate to their professional position
2. Ensure that an unequal balance of power is never used for personal advantage or gratification. They should record any incident with this potential and report it immediately to a member of SMT or the Safeguarding Team. This includes any type of communication they may have with pupils
3. Ensure that personal beliefs are not expressed in ways which exploit pupils' vulnerability or might lead them to break the law
4. Be aware that it is not appropriate to single out individual pupils for special rewards outside the guidelines of the Rewards section of the [Pupil Behaviour Policy](#), nor to show favouritism
5. Be sensitive in accepting gifts from pupils or parents if these may be seen as compromising the essential nature of the professional relationship. Gifts of a value of £100 or over must be logged with the Director of Finance and Operations
6. Report to your line manager, the pupil's Housemistress/master or a member of the Safeguarding Team any concerning encounter you have with a pupil.

Staff must be aware that it is an offence for a person aged 18 or over to have a sexual relationship with a child under 18 where that person is in a position of trust even if the relationship is consensual. (Sexual Offences Act 2003). This means that it is illegal for anyone working in School to have a sexual relationship with a pupil. Even when the member of staff is under 18 and the pupil is 18, staff must **NEVER** have any form of personal relationship with a pupil.

Staff must not make sexual remarks to any pupil or discuss their own sexual relationships with, or in the presence of pupils. Staff must not discuss a pupil's sexual relationships in inappropriate settings or contexts. Any sexual behaviour by a member of staff towards any pupil is unacceptable and illegal.

It is not uncommon for pupils to become strongly attracted to a member of staff or to develop an infatuation. If any member of staff becomes aware of an infatuation they should discuss it with the Designated

Safeguarding Lead(DSL) immediately so that they can receive support on the most appropriate way to manage the situation.

### **How to Manage One-to-One Contact**

Individual meetings with pupils can present opportunities for misunderstanding about the nature of the adult-student relationship. Therefore, in teaching and other School areas, staff should avoid speaking for an extended period of time to a pupil alone in an isolated place. There are public spaces which afford a degree of privacy and staff should use these where possible. The beginnings and ends of lessons provide key times for such conversations to take place in a safe environment, as do places such as the Entrance Hall and public areas of the teaching blocks.

One-to-one coaching, tuition, escorting to out-of-school appointments, individual meetings in House and in the Medical Centre etc. can necessitate pupils being alone with members of staff. Where a private meeting or lesson needs to take place, staff should consider their environment carefully to minimise the risk of misunderstanding. Any space in which private meetings take place should have visual access to the room or a door left open, or the member of staff must inform a colleague that a meeting, lesson or interview is taking place. Late evening meetings in quiet places present significant risk and **MUST** be avoided. If a one-off situation arises in which a member of staff feels vulnerable, please let a colleague know. It is acceptable to postpone a meeting or lesson, or to move to a different venue, or to decide not to take a pupil alone in a car to an appointment if the member of staff is unhappy about the situation.

There are occasions when a member of staff might need to convey a pupil by car. If you have a reason to need to drive a pupil, staff should approach the Designated Safeguarding Lead and request to become an Approved Driver. Further information is available in the [Staff Private Vehicles Agreement](#).

### **Sensitive Issues**

Many staff have a specific pastoral responsibility for pupils, and in order to fulfil that role effectively, there will be occasions where conversations will cover particularly sensitive matters. Staff must, in these circumstances, use their discretion to ensure that, for example, any probing for details cannot be construed as unjustified intrusion.

In dealing with sensitive issues, staff must inform pupils at the start of the interview that the staff member may have to disclose the information to another person, eg the Deputy Head Boarding and Pastoral.

Care should be taken to ensure that pupils are 'referred on' when the professional skills required are beyond those possessed by the staff member to deal with the pupil's needs. Staff should exercise caution in their judgement when talking with pupils on a one-to-one basis so that they do not compromise their own integrity or safety.

### **Pupils Visiting Staff Accommodation**

The Senior Management Team and resident staff in boarding houses may invite pupils into their School residences with the prior knowledge and permission of the pupils' Housemaster/mistresses. Pupils should never be entertained alone and alcohol can only be served according to the guidelines set out in the [Alcohol Policy](#). No member of staff should be hosting pupils after 11.00pm unless there is a very special occasion and permission has been sought from a member of SMT.

Staff must not invite groups of pupils to their own home off the School site without the express permission from the Deputy Head Boarding and Pastoral. This will only be granted in exceptional circumstances.

### **Staff Visiting Boarding Houses**

As a boarding house is a second home for the pupils, all staff visiting a House should check in with a member of staff on duty. If the visit is not part of a regular pattern (Tutor meetings for example), visitors will need to let House staff know the purpose of their visit. Visiting at bed times/shower times is not appropriate and even at other times, staff should remember that they are visiting someone's home and are expected to use their professional judgement at all times.

Maintenance staff must sign in the relevant House book when they are working in a boarding house.

### **Social Contact**

Social contact with pupils, who are not relatives of the staff member - other than that which is School based or organised by the School - could be potentially difficult and should not normally be encouraged. Staff should not establish or seek to establish social contact, via any channels (including social media), with pupils for the purposes of securing a friendship or to pursue or strengthen a relationship.

Any regular out-of-school contact e.g. through membership of the same organisation or sports team, should be registered with a member of SMT.

It is strongly advised that staff should exercise caution in using social network sites. Staff online conduct out of School could have an impact on their role and reputation within School and there are dangers associated with links to social networking sites used by pupils. Care should be taken when using or accessing these. Staff who maintain their own social networking sites are forbidden to accept current pupils and are advised not to accept recent past pupils as online friends or equivalent. Staff should protect themselves from pupil access to personal staff information that may prove inappropriate and staff should not expose themselves to similar material on pupils' sites.

Staff should not give out their personal mobile phone numbers nor have pupil mobile numbers recorded on their personal phones. School phones are available for trips.

[Safeguarding 3 – Online Safety Policy](#) considers these areas in more detail. All staff must familiarise themselves with this policy.

### **Physical Contact**

Whilst there are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, staff should not make the assumption that it is acceptable practice to use touch as a means of communication. Permission should be sought from a child or young person before physical contact is made and it must always be for appropriate reasons and only in ways that are appropriate to their professional role and in response to the student's needs at the time. This should be of limited duration and appropriate to the age, stage of development, gender and background of the student. Staff must always be able to explain why they have made physical contact with a student and remember that force may never be used as a punishment. Further guidance is available in the [Physical Contact and Use of Reasonable Force Policy](#).

### **Educational Visits**

Staff should take particular care when supervising children and young people on trips and outings, where the setting is less formal than the usual workplace. Adults remain in a position of trust and need to ensure that their behaviour remains professional at all times and stays within clearly defined professional boundaries. For further information, please see [Educational Visits Policy](#).

While it may be appropriate for staff accompanying educational visits to have a glass of wine with their meal, they must always be sensitive to the perceptions of pupils about how much they drink and never drink to the point where they would be above the UK limit for driving safely.

### **Photography and Videos Guidance**

Working with children and young people may reasonably involve the taking or recording of images. Pupils must be made aware when images are being taken and staff must remain sensitive to any children who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings. It is not appropriate for staff to take photographs of pupils for their personal use and they must not be stored on personal devices. School devices are available for occasions when photographs or recordings may reasonably be taken. Any recordings made on personal devices must be uploaded onto the School network and deleted from the original device within 24 hours.

Any photographs taken should be passed to the Development Office. The School requests written permission from parents about how images of pupils may be used. Before publishing any photographs in a public forum, the Development Office must be consulted.

Photographs contain private data and staff should be aware of the [Data Protection Policy](#) when taking photographs.

### **Confidentiality**

Staff necessarily have access to confidential and sensitive material about pupils, colleagues or other matters relating to the School. This could include personal and sensitive data, for example information about a student's home life. Staff must never use this information to their own personal advantage, or to humiliate, intimidate or embarrass others. They must exercise appropriate discretion with this material at all times and only share it in approved contexts and when it is in the best interests of the child to do so. If a member of staff is in doubt at any time about whether or not to share information relating to a child, they should seek guidance from a member of SMT or the Safeguarding Team. For further advice, see the Confidentiality and Student Welfare section of [Pastoral Care and Pupil Wellbeing Policy](#).

Staff should ensure they handle confidential School information with appropriate care and discretion and continue to do so once employment at Benenden has come to an end. They must treat all sensitive information relating to pupils, fellow employees and the business of Benenden School Kent Ltd as confidential and ensure that they adhere to the [Data Protection Policy](#).

Staff must ensure that they have read and understood all of our policies that relate to data including our IT policies.

### **Diversity and Equality/Specific Educational Needs/Learning Support Register Pupils**

Staff are required to understand the types of discrimination and bullying that pupils and colleagues may be subject to. Everyone must be treated with equal levels of fairness and opportunity. Staff must not ignore any form of discrimination. This includes inappropriate jokes and banter. Staff must positively promote equality and diversity and inclusion at all times.

The [Equality Policy](#) gives detailed information on this. All staff are advised to familiarise themselves with this policy.

### **Health and Safety**

All employees must ensure that they:

1. Read and understand the School's [Health and Safety Policy](#)
2. Comply with Health and Safety Regulations or instructions
3. Comply with any accident reporting requirements
4. Never act in a way which might cause risk or damage to any other members of the School, community or visitors
5. Know what to do in a [Fire Alarm](#) or Lockdown situation (see plans for foreseeable crises in the [Emergency and Disaster Policy](#))
6. Respond swiftly and sensibly to the fire alarm and lockdown signal
7. Respond to others in need of [First Aid](#) by seeking help or administering first aid if trained to do so.

### **Keeping Within the Law**

Staff are expected to operate within the law. Unlawful or criminal behaviour, at work or outside work, may lead to disciplinary action, including dismissal. However, being investigated by the police, receiving a caution or being charged will not automatically mean that an employee's employment is at risk.

Employees must ensure that they:

1. Never commit a crime away from work which could damage public confidence in them or the School or which makes them unsuitable for the work they do. This includes, for example:
  - a. Submitting false or fraudulent claims to public bodies (for example, income support, housing or other benefit claims)

- b. Breaching copyright on computer software or published documents
  - c. Sexual offences which will render them unfit to work with children or vulnerable adults
  - d. Crimes of dishonesty which render them unfit to hold a position of trust.
2. Write and tell the Head (Chair of Governing Council if they are the Head) immediately if they are questioned by the police, charged with, or convicted of, any crime whilst they are employed at the School (this includes outside of their working hours). The Head and/or Governing Council will then need to consider whether this charge or conviction damages public confidence in the School or makes the employee unsuitable to carry out their duties.

### **Reporting Concerns about Staff (Whistleblowing)**

Individuals can voice their concerns made in good faith without fear of repercussion. This is particularly important where the welfare of children may be at risk. The School has an open culture of reporting any concerns and staff are referred to the [Whistleblowing Policy](#) for further information about more serious concerns. In most cases, reporting a concern is not whistleblowing, but seeking reassurance about what has been seen or heard or appears to be a concern. Staff are very welcome to raise any concern and should know that these will be treated sensitively.

### **Mandatory Policies**

There are several policies in the [Staff Handbook](#) which are mandatory for all staff to comply with. Many are mentioned by name in this Code of Conduct. The others are: [Anti-Bribery](#) and [Conflict of Interest](#). Please ensure you are familiar with these.

### **Monitoring and Training**

The Staff Code of Conduct is given to all new employees and explained as part of the staff induction programme. A staff briefing is given annually and any substantial changes result in the policy being reissued to all staff who must sign to say they have read and understood the policy.

This policy is reviewed annually by SMT and by the Council Safeguarding and Pastoral Care committee.

Most recent review dates:

08.05.17	Reviewed by Council Safeguarding and Pastoral Care Committee
07.12.17	Reviewed by AST
19.01.18	Reviewed and ratified by SMT