

Code of Conduct Policy COVID-19 Addendum

School Name: Old Moat Primary School

Date: January 2021

Date shared with staff: January 2021

Context:

From 5th January 2021 parents were asked to keep their children at home, wherever possible, and for schools to remain open only for those children of workers critical to the COVID-19 response - who absolutely need to attend.

Schools and all childcare providers were asked to provide care for a limited number of children - children who are vulnerable, and children whose parents are critical to the COVID-19 response and cannot be safely cared for at home.

All staff have a responsibility to be aware of systems within their school which support safeguarding and any temporary amendment to these should be explained to them by senior managers. This includes the school's child protection policy, called the code of conduct and online safety / acceptable use policy.

This addendum is intended as a temporary supplement to the Guidance for Safer Working Practice for those working with children and young people in education settings. It summarises Old Moat's expectations of Code of Conduct in response to the current change of circumstances.

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At the CLIC Trust we believe in creating a culture that is safe and inclusive. A Staff Code of Conduct is designed to give clear guidance on the standards of behaviour all school staff are expected to observe. The document seeks to ensure that the responsibilities of senior leaders of educational settings towards children and staff are discharged by raising awareness of illegal, unsafe, unprofessional and unwise behaviour.

The 2019 guidance made clear that whilst every attempt had been made to cover a wide range of situations, it should be recognised that any guidance cannot cover all eventualities. The current pandemic with its associated closure of schools to most children is one such example of a circumstance which had not been foreseen and where Government, local authorities, school leaders and staff are having to review and amend guidance rapidly.

Now more than ever before, professional judgements may need to be made in situations not covered by existing guidance, or which directly contravene the guidance given by the employer. In such circumstances, staff will always advise their senior colleagues of the justification for any such action already taken or proposed.

Staff Responsibilities:

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

All staff have a responsibility to keep pupils safe and to protect them from abuse (sexual, physical and emotional), neglect and contextual safeguarding concerns. Pupils 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 well-being. Failure to do so may be regarded as professional misconduct.

Employers have duties towards their employees and others under Health and Safety legislation which requires them to take steps to provide a safe working environment for staff. Legislation also imposes a duty on employees to take care of themselves and anyone else who may be affected by their actions or failings. An employer's Health and Safety duties and the adults' responsibilities towards children should not conflict. Safe practice can be demonstrated through the use and implementation of these guidelines.

This means staff should:

- understand the responsibilities which part of their employment or role are, and be aware that sanctions will be applied if these provisions are breached
- understand how to raise a concern and contact designated staff or partner agencies if they have a concern about a child, particularly if the normal arrangements have been amended
- always act, and be seen to act, in the child's best interests
- avoid any conduct which would lead any reasonable person to question their motivation and intentions
- take responsibility for their own actions and behaviour

Power and positions of trust and authority:

As a result of their knowledge, position and/or the authority invested in their role, all those working with children in a school or education setting are in apposition of trust in relation to all pupils on the roll.

The relationship between a person working with a child/ren is one in which the adult has a position of power or influence. It is vital for adults to understand this power; that the relationship cannot be one between equals and the responsibility they must exercise, therefore.

The potential for exploitation and harm of vulnerable pupils means that adults have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Staff should always maintain appropriate professional boundaries, avoid behaviour which could be misinterpreted by others and report any such incident to a senior manager. This is as relevant in the online world as it is in the classroom; staff engaging with pupils and/or parents online always have a responsibility to model safe practice.

Where a person aged 18 or over is in a position of trust with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity.

This means staff should not:

- use their position to gain access to information for their own advantage and/or a pupil's or family's detriment
- use their power to intimidate, threaten, coerce or undermine pupils
- use their status and standing to form or promote relationships with pupils which are of a sexual nature, or which may become so.

Dress and appearance

A person's dress and appearance are matters of personal choice and self-expression and some individuals will wish to exercise their own cultural customs. However, staff should select a manner of dress and appearance appropriate to their professional role and which may be necessarily different to that adopted in their personal life. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake; this also applies to online or virtual teaching or when working with small groups on site (in the case of schools who remain open to vulnerable children or those of critical workers). Those who dress or appear in a manner which could be viewed as offensive or inappropriate will render themselves vulnerable to criticism or allegation.

This means that staff should wear clothing which:

- promotes a positive and professional image
- is appropriate to their role.
- is not likely to be viewed as offensive, revealing, or sexually provocative

- does not distract, cause embarrassment, or give rise to misunderstanding
- is absent of any political or otherwise contentious slogans
- is not considered to be discriminatory
- is compliant with professional standards
- in online engagement, is like the clothing they would wear on a normal school day

Intimate/personal care

Schools and settings should have clear nappy or pad changing and intimate/personal care policies which ensure that the health, safety, independence, and welfare of children is promoted, and their dignity and privacy are respected. Arrangements for intimate and personal care should be open and transparent and accompanied by recording systems.

Pupils should be encouraged to act as independently as possible and to undertake as much of their own personal care as is possible and practicable. When assistance is required, this should normally be undertaken by one member of staff, however, they should try to ensure that another appropriate adult is in the vicinity who is aware of the task to be undertaken and that, wherever possible, they are visible and/or audible. Intimate or personal care procedures should not involve more than one member of staff unless the pupil's care plan specifies the reason for this.

A signed record should be kept of all intimate and personal care tasks undertaken and, where these have been carried out in another room, should include times left and returned.

Intimate and personal care should not be carried out by an adult that the child does not know. Anyone undertaking intimate / personal care in an education setting is in regulated activity and must have been checked against the relevant DBS barred list, even if the activity only happens once; this includes volunteers. Volunteers and visiting staff from other schools should not undertake care procedures without appropriate training.

Pupils are always entitled to respect and privacy and especially when in a state of undress, including, for example, when changing, toileting and showering. However, there needs to be an appropriate level of supervision to safeguard pupils, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the children concerned and sensitive to the potential for embarrassment.

This means that staff should:

- adhere to their organisation's intimate and personal care and nappy changing policies
- make other staff aware of the task being undertaken
- always explain to the pupil what is happening before a care procedure begins
- consult with colleagues where any variation from agreed procedure/care plan is necessary
- record the justification for any variations to the agreed procedure/care plan and share this information with the pupil and their parents/carers
- avoid any visually intrusive behaviour
- where there are changing rooms announce their intention of entering
- always consider the supervision needs of the pupils and only remain in the room where their needs require this.

This means that adults should not:

- change or toilet in the presence or sight of pupils
- shower with pupils
- allow any adult to assist with intimate or personal care without confirmation from senior leaders that the individual is not barred from working in regulated activity
- assist with intimate or personal care tasks which the pupil can undertake independently

One to one situation

Staff working in one-to-one situation with pupils at the setting, including visiting staff from external organisations can be more vulnerable to allegations or complaints. To safeguard both pupils and adults, a risk assessment in relation to the specific nature and implications of one-to-one work should always be undertaken. Each assessment should consider the individual needs of each pupil and should be reviewed regularly. Arranging to meet with pupils from the school or setting away from the work premises should not be permitted unless the necessity for this is clear and approval is obtained from a senior member of staff, the pupil and their parents/carers. During the current school closures, the DfE suggests that if there is only one vulnerable child or child of a critical worker, the school should consider closing, and liaise with the local authority to identify alternative provision, e.g., at a hub school. If the school must remain open with only one or two children, there should be more than one member of staff to meet fire safety, first aid, supervision and other emergency procedures.

This means that staff should:

- work one to one with a child only where necessary and with the knowledge and consent of senior leaders and parents/carers
- be aware of relevant risk assessments, policies and procedures
- ensure that wherever possible there is visual access and/or an open door in one-to-one situation
- avoid use of 'engaged' or equivalent signs wherever possible. Such signs may create an opportunity for secrecy or the interpretation of secrecy
- always report any situation where a pupil becomes distressed, anxious or angry
- consider the needs and circumstances of the pupil involved

20. Home visits

All work with pupils and parents should usually be undertaken in the school or setting or other recognised workplace. There are however occasions, in response to an urgent, planned or specific situation or job role, where it is necessary to make one-off or regular home visits. In the current situation, some settings may ask staff to undertake welfare visits, particularly in the EYFS or to primary age children.

Staff will normally undertake home visits with a colleague. Staff undertaking welfare visits should always try to give parents/carers advance warning unless there is good reason not to, e.g. because the visit has been prompted by safeguarding concerns and/or is at the request of children's social care. In these cases, one of the staff undertaking the visit should be a Designated safeguarding lead or deputy safeguarding person. The purpose of the visit should

be clarified, and staff should be aware of the circumstances in which emergency services or partner agencies should be contacted. It is essential that appropriate policies and related risk assessments are in place to safeguard both staff and pupils, who can be more vulnerable in these situations.

A risk assessment should be undertaken prior to any planned home visit taking place. The assessment should include an evaluation of any known factors regarding the pupil, parents/carers and any others living in the household. Consideration should be given to any circumstances which might render the staff member becoming more vulnerable to an allegation being made e.g. hostility, child protection concerns, complaints or grievances. Specific thought should be given to visits outside of 'office hours' or in remote or secluded locations. Following the assessment, appropriate risk management measures should be put in place before the visit is undertaken. In the unlikely event that little or no information is available, **visits should not be made alone.**

Old Moat staff must follow the COVID19 Home Visit Risk Assessment when conducting their home visits. A copy of this is in the main office or can be obtained from a member of the Safeguarding Team.

This means staff should:

- agree the purpose for any home visit with their manager
- have a clear understanding of the actions that should be taken if it is believed that a child or parent is at immediate risk of harm, including when to contact emergency services and / or partner agencies
- adhere to agreed risk management strategies
- avoid unannounced visits wherever possible
- ensure there is visual access and/or an open door in one-to-one situation
- Always observe social distancing
- except in an emergency, never enter a home without the parent or carer's consent or when the parent is absent
- always make detailed records including times of arrival and departure
- ensure any behaviour or situation which gives rise to concern is discussed with their manager

First Aid and Medication

The narrative of section 23 in the parent document still stands. However, it is worth noting that in exceptional circumstances, the Managing Health & Safety at Work Regulations do allow an organisation to function without any member of staff being trained in 'First Aid at Work'. If a school has no trained first aider due to COVID-19, it is the responsibility of school leaders and/or the employer to identify a senior person on site each day to lead on any crisis or serious incident including the provision of first aid. This decision should be supported by a risk assessment that considers the number of staff, children and/or other visitors on site, the proximity of emergency services, any risks presented, etc. Risks should be minimised as much as possible, for example by not undertaking high risk or adventurous activities.

Staff whose 'first aid at work' training is about to or has expired since 16th March 2020 should be aware that the HSE has agreed an extension of 3months for renewal. Depending on the

ages of the children accessing the provision, there may need to be at least one person trained in paediatric first aid at all times when children are on site.

This means that adults should:

- adhere to the school or setting's health and safety and supporting pupils with medical conditions policies
- make other staff aware of the task being undertaken
- have regard to pupils' individual healthcare plans
- always ensure that an appropriate health/risk assessment is undertaken prior to undertaking certain activities
- explain to the pupil what is happening.
- always act and be seen to act in the pupil's best interest
- make a record of all medications administered
- not work with pupils whilst taking medication unless medical advice confirms that they are able to do so

Whistleblowing

Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. Education settings should have a clear and accessible whistleblowing policy that meets the terms of the Public Interest Disclosure Act 1998. Staff who use whistle blowing procedures should have their employment rights protected. Staff should recognise their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies and that to not do so may result in charges of serious neglect on their part where the welfare of children may be at risk.

Staff should be reminded of the routes for raising concerns during school closure or part closure, including how to escalate their concern if the normal routes for whistleblowing are impeded by the absence/illness of senior managers

This means that staff should:

- escalate their concerns if they believe a child or children are not being protected
- report any behaviour by colleagues that raises concern
- report allegations against staff and volunteers to their manager, or registered provider, or where they have concerns about the manager's response report these directly to the DO

Acceptable Use and Online Safety Policies. COVID-19 Addendum

The Acceptable Use and Online Safety Policy Addendum is being presented with the Code of Conduct Policy Due to the overlap between the two.

Use of technology for online/virtual teaching

The narrative of section 24 remains relevant. However, there has been a sharp increase in the use of technology for remote learning since March 2020 and this addendum provides some basic guidelines for staff and school leaders.

When selecting a platform for online/virtual teaching, settings should satisfy themselves that the provider has an appropriate level of security. Wherever possible, staff should use school devices and contact pupils only via the pupil school email address/log in. This ensures that the setting's filtering and monitoring software is enabled. In deciding whether to provide virtual or online learning for pupils, senior leaders should take into account issues such as accessibility within the family home, the mental health and wellbeing of children, including screen time, the potential for inappropriate behaviour by staff or pupils, staff access to the technology required, etc. Virtual lessons should be timetabled and senior staff, DSL and / or heads of department should be able to drop into any virtual lesson at any time –the online version of entering a classroom.

Old Moat Primary School will use Microsoft TEAMS and Tapestry to provide online teaching to the students at home.

Staff engaging in online learning should display the same standards of dress and conduct that they would in the real world; they should also role model this to pupils and parents. The following points should be considered:

- think about the background; photos, artwork, identifying features, mirrors—ideally the backing should be blurred
- staff and pupils should be in living/ communal areas –no bedrooms.
- staff and pupils should be fully dressed
- filters at a child's home may be set at a threshold which is different to the school
- resources/videos must be age appropriate –the child may not have support immediately to hand at home if they feel distressed or anxious about content

It is the responsibility of the staff member to act as a moderator; raise any issues of suitability (of dress, setting, behaviour) with the child and/or parent immediately and end the online interaction if necessary, recording lessons does not prevent abuse. If staff wish to record the lesson they are teaching, consideration should be given to data protection issues, e.g., whether parental/pupil consent is needed and retention/storage. If a staff member believes that a child or parent is recording the interaction, the lesson should be ended or that child should be logged out immediately. Staff, parent and pupil AUPs should clearly state the standards of conduct required.

If staff need to contact a pupil or parent by phone and do not have access to a work phone, they should discuss this with a senior member of staff and, if there is no alternative, always use 'caller withheld' to ensure the pupil/parent is not able to identify the staff member's personal contact details.

This means that staff should:

- adhere to their establishment's policy
- be fully dressed
- ensure that a senior member of staff is aware that the online lesson / meeting is taking place and for what purpose
- avoid one to one situation –request that a parent is present in the room for the duration, or ask a colleague or member of SLT to join the session
- only record a lesson or online meeting with a pupil where this has been agreed with the Headteacher or other senior staff, and the pupil and their parent/carer have given explicit written consent to do so
- be able to justify images of pupils in their possession.

This means that adults should not:

- contact pupils outside the operating times defined by senior leaders
- take or record images of pupils for their personal use
- record virtual lessons or meetings using personal equipment (unless agreed and risk assessed by senior staff)
- engage online while children are in a state of undress or semi-undress