



## **Inspire South West Code of conduct and expected behaviour including receipt of gifts/hospitality and conflict of interest**

### **Introduction**

This Code of Conduct is the Inspire South West (ISW) Practitioners Behaviour Policy (Code of Conduct) as required by statutory guidance *Keeping Children Safe in Education* (DfE 2019). It is a core component of ISW's strategy to fulfil its statutory responsibilities to safeguard and promote the welfare of all Student/students/families. The Code of Conduct is referred to throughout the document as 'the Code'.

All Practitioners and volunteers have personal and legal responsibilities that are wider than their safeguarding responsibilities, including treating others with dignity and respect; acting honestly; using public funds and setting equipment appropriately; adhering to health and safety guidelines; and practising equal opportunities at all times. These expectations are also set out in the Code and should be fully observed by all Practitioners and volunteers, including the CEO.

Practitioners both employed and self-employed, self-employed practitioners and volunteers should ensure they are familiar with other specific policies that underpin these expectations, which are referred to as "Required Reading" throughout the Code.

### **Purpose of the Code of Conduct**

The Code seeks to ensure that the responsibilities of Practitioners towards children and Practitioners are discharged by:

- raising awareness of illegal, unsafe, unprofessional and unwise behaviour.

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- clarifying which behaviours constitute safe practice and which behaviours should be avoided.
- assisting Practitioners to monitor their own standards and practice and reduce the risk of allegations being made against them.
- reducing the incidence of positions of trust being abused or misused.
- supporting safer recruitment practice.

It is also recognised that not all people who work with children work as paid or contracted Practitioners both employed, and self-employed. It is important that all adults working with children understand that the nature of their work and the responsibilities related to that work place them in a position of trust. The principles and guidance outlined in the Code apply and should be followed by any person whose work brings them into contact with children.

The Code is intended to provide a clear message that unacceptable behaviour will not be tolerated and that, where appropriate, legal or disciplinary action is likely to follow. The setting may refer to the Code in any disciplinary proceedings.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that any guidance cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this Code, or which directly contravene the Code. It is expected that in these circumstances Practitioners will always advise Lyn Brown Founder and CEO of the justification for any such action already taken or proposed.

All adults who work with children have a responsibility to be aware of systems within their setting which support safeguarding, and these should be explained to them as part of Practitioners induction and in regular online training. This includes this Code and the ISW's safeguarding and child protection policy.

It is recognised that the vast majority of adults who work with children act professionally and aim to provide a safe and supportive environment which secures the well-being and very best outcomes for children in their care. However, it is also recognised that achieving those aims is not always straightforward, as much relies on child and Practitioners interactions where tensions and misunderstandings can occur. This Code aims to reduce the risk of those misunderstandings.

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It must be recognised that some allegations will be genuine as there are people who seek out, create or exploit opportunities to harm children. However, allegations may also be false or misplaced and may arise from differing perceptions of the same event. When they occur, they are inevitably distressing and difficult for all concerned. It is therefore essential that all possible steps are taken to safeguard children and ensure that the adults working with them do so safely. The Designated Officer (DO) in the Local Authority (formerly known as the LADO) will be informed within one working day of all allegations that a member of Practitioners or volunteer has:

- behaved in a way that has harmed a child or may have harmed a child.
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates he or she will pose a risk of harm if they work regularly or closely with children.

### **Compliance with the Code of Conduct**

The Code should be provided for all Practitioners and volunteers (either electronically or by providing a paper copy) to read before they commence work on behalf of ISW. Before having any contact with Clients, all Practitioners and volunteers should be given an opportunity to discuss the Code with a Lyn Brown or designated person and ask any questions in order to clarify understanding.

All Practitioners both employed and self-employed are expected to treat young people, families, other colleagues, parents/carers and external contacts with dignity and respect and to comply with all relevant school policies. Unacceptable behaviour such as discrimination, bullying, harassment or intimidation will not be tolerated by ISW. This includes physical and verbal abuse and use of inappropriate language or unprofessional behaviour with colleagues, Young people, families and parents/carers.

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## **Background**

All adults who come into contact with children in their work whether paid or unpaid have a duty of care to safeguard and promote their welfare.

The Education Act 2002 (section 175), the Education (Independent School Standards) Regulations 2014 and the Education (Non-Maintained Special Schools) (England) Regulations 2015 place duties upon all schools and colleges to carry out their duties with regard to safeguarding and promoting the welfare of children.

The Children Act 2004 places a duty on organisations to safeguard and promote the well-being of children and young people. This includes the need to ensure that all adults who work with or on behalf of children and young people in these organisations are competent, confident and safe to do so.

*Working Together to Safeguard Children*<sup>3</sup> (DfE2018) and *Keeping Children Safe in Education*<sup>4</sup> (DfE 2019) define safeguarding as 'protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.

The Code has due regard to current legislation and statutory guidance.

## **What to do if you are worried a child is being abused**

Practitioners and volunteers must be familiar with the ISWs child protection & safeguarding policy and whistle blowing policy.

## **Underpinning Principles**

The welfare of the child is paramount.

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Practitioners and volunteers should understand their responsibilities to safeguard and promote the welfare of the Children, young people and families we support. Practitioners and volunteers 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. Practitioners and volunteers should work, and be seen to work, in an open and transparent way.

Practitioners and volunteers should acknowledge that deliberately invented/malicious allegations are extremely rare and that all concerns should be reported and recorded.

Practitioners and volunteers should discuss and/or take advice promptly from their line manager if they have acted in a way which may give rise to concern.

Practitioners and volunteers should apply the same professional standards regardless of culture, disability, gender, language, racial origin, religious belief and sexual orientation.

Practitioners and volunteers should not consume or be under the influence of alcohol or any substance, including prescribed medication, which may affect their ability to care for our vulnerable young people, children and their families.

Practitioners and volunteers should be aware that breaches of the law and other professional guidelines could result in disciplinary action being taken against them, criminal action and/or other proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity,

CEO or other named person working on her behalf continually monitor and review practice to ensure this guidance is followed.

Practitioners and volunteers should be aware of and understand the ISWs safeguarding policy, arrangements for managing allegations against Practitioners, Practitioners behaviour policy and whistle blowing policy.

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If a Practitioner or volunteer has a concern about a child, they should raise that concern with Jenni Budd **Designated Safeguarding Lead**.

However, **concerns about the conduct of or abuse which may involve Practitioners or volunteers must be referred to Lyn Brown CEO** Concerns about the conduct of the CEO should be referred to LADO if no other senior person is available.

***If, at any point, there is a risk of immediate serious harm to a child a referral should be made to the Multi-Agency Safeguarding Hub (MASH) or – in extreme circumstances – to the Police directly. Anybody can make a referral. If the child's situation does not appear to be improving the Practitioner/volunteer with concerns should press for re-consideration.***

### ***Safe working practice and appropriate professional conduct***

All adults who work with children and young people have a crucial role to play in their lives. They have a unique opportunity to interact with children and young people in ways that are both affirming and inspiring. This guidance has been produced to help them establish the safest possible learning and working environments which safeguard children and reduce the risk of them being falsely accused of improper or unprofessional conduct.

### **'Unsuitability'**

The guidance contained in this Code is an attempt to identify what behaviours are expected of Practitioners and volunteers who work with children and young people in or on behalf of Inspire South West. Adults whose practice deviates from this Code may bring into question their suitability to work with children and young people. The guidance may be used as reference by managers and the Designated Officers in the Local Authority when responding to allegations made against or concerns about the behaviour of Practitioners working with Children/vulnerable families.

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## **Duty of Care**

All adults who work with and on behalf of children are accountable for the way in which they exercise authority; manage risk; use resources; and safeguard children and young people.

Whether working in a paid, employed/self-employed or voluntary capacity, those adults have a responsibility to keep children and young people safe and to protect them from sexual, physical and emotional harm, neglect and contextual safeguarding concerns including sexual and criminal exploitation. Children and young people 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 the safety and well-being of children and young people. Failure to do so may be regarded as professional misconduct.

The safeguarding culture of Inspire South West is, in part, exercised through the development of respectful, caring and professional relationships between adults and children and young people. It is also exercised through the behaviour of adults, which at all times should demonstrate integrity, maturity and good judgement.

Individuals accept a role working/supporting young people and their families, they should understand and acknowledge the responsibilities and trust involved in that role.

Employers also have a duty of care towards their Practitioners both employed, and self-employed, both paid and unpaid, under Health and Safety legislation which requires them to provide a safe working environment for Practitioners.

Legislation also imposes a duty on Practitioners both employed, and self-employed to take care of themselves and anyone else who may be affected by their actions or failings. Health and Safety duties and the adults' responsibilities towards children should not conflict. Safe practice can be demonstrated through the use and implementation of this guidance.

## **Making professional judgements**

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This guidance cannot provide a complete checklist of what is or is not appropriate behaviour for Practitioners both employed and self-employed and volunteers in all circumstances. It does highlight, however, behaviour which is illegal, inappropriate or inadvisable. There will be rare occasions and circumstances in which practitioners or volunteers have to make decisions or take action in the best interests of a young person and or their family which could contravene this guidance or where no guidance exists. Individual Practitioners and volunteers are expected to make judgements about their behaviour in order to secure the best interests and welfare of the Children/young people and families in their charge and, in so doing, will be seen to be acting reasonably. Such judgements, in those circumstances, should always be recorded and shared with CEO Lyn Brown.

Practitioners and volunteers should always consider whether their actions are warranted, proportionate, safe and applied equitably.

### **Power and positions of trust and authority**

As a result of their knowledge, position and/or the authority invested in their role, all adults working with young people and their families are in a position of trust in relation to those children.

The relationship between an adult working with a child /children/young person or family is one in which the adult has a position of power or influence. It is vital for all such adults to understand this power; that the relationship cannot be one between equals and the responsibility they must exercise as a consequence.

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

Practitioners both employed and self-employed as well and volunteers should always maintain appropriate professional boundaries and avoid behaviour which could be misinterpreted by others. They should report and record any such incident.

Where a person aged 18 or over is in a specified 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.





## Confidentiality

The storing and processing of personal information is governed by the General Data Protection Regulations 2017 (GDPR) and Data Protection Act 2018. Employers should provide clear advice to practitioners both employed and self-employed as well as volunteers about their responsibilities under this legislation so that, when considering sharing confidential information, those principles are applied.

Practitioners as well as volunteers may have access to special category personal data about children, young people and their families which must be kept confidential at all times and only shared when legally permissible to do so and in the interests of the child or young person. Records should only be shared with those who have a legitimate professional need to see them.

Practitioners as well as volunteers should never use confidential or personal information about a Young person or her/his family for their own, or others' advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, or embarrass the child. Confidential information should never be used casually in conversation or shared with any person other than on a need-to-know basis. In circumstances where the child's identity does not need to be disclosed, the information should be used anonymously.

There are some circumstances in which an employee or volunteer may be expected to share information about a child, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay but only to those with designated safeguarding responsibilities or to statutory services.

If a child – or their parent / carer – makes a disclosure regarding abuse or neglect, the Practitioners or volunteer should follow ISWs procedures. Whilst Practitioners and volunteers need to be aware of the need to listen to and support children and young people, they must also understand the importance of not promising a child or parent/carer that they will keep secrets that relate in any way to the safety or well-being of any individual but should give reassurance that the information will be treated sensitively.

If a Practitioner or volunteer is in any doubt about whether to share information or keep it confidential, he or she should seek guidance from Jenni Budd **Designated Safeguarding Lead**. Any media or legal enquiries should be passed to **CEO**

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Additionally, concerns and allegations about adults should be treated as confidential and passed Lyn Brown without delay.

## **Standards of Behaviour**

All Practitioners both employed, and self-employed as well as volunteers have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people. They should adopt high standards of personal conduct in order to maintain the confidence and respect of the general public and all those with whom they work.

This includes the way in which Practitioners and volunteers speak to Student/students. A positive, respectful and encouraging tone should be used at all times. Where it is necessary to challenge inappropriate behaviour or to get a young person/child's attention, it is reasonable for Practitioners to raise their voices and/or use an authoritative tone. However, it is not appropriate for Practitioners both employed and self-employed/volunteers to shout at young people/children habitually or speak to them disrespectfully.

Practitioners both employed and self-employed/volunteers should never set out to cause a child/young person to feel frightened, ashamed or humiliated. Admonishments should focus on behaviour rather than the child/young person's personality or character and targets for desired behaviour should be described by Practitioners or volunteer.

Practitioners/volunteers should refer to Children/young people by their name. Disrespectful nicknames, words and terms should be avoided. Practitioners/volunteers should exercise caution in referring to Children/young people by affectionate nicknames and more general terms of endearment or familiarity such as 'Dear, Love, Petal, Mate, Dude'.

Practitioners and volunteers should be aware that use of such terms might cause some Children/young people to feel confused and/or uncomfortable, could be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour.

If a Practitioners/volunteers choose to speak to using such informal language, they should ensure it is not reserved for particular individuals in order to avoid any allegations of favouritism or concern about grooming behaviour. Practitioners and volunteers should be particularly careful not to refer to Children/young people using words that are specifically associated with grooming such as 'Sweetheart, Princess, Darling'.

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There may be times when an employee or volunteer's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities, including with regard to their own children, or children or adults in the community. This could be because their behaviour is considered to compromise their position in the setting or indicates an unsuitability to work with

children or young people. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.

Practitioners/ volunteers should therefore understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting. That includes behaviours on social media websites and other online behaviours.

The behaviour of an employee or volunteer's partner or other family members may raise similar concerns and require careful consideration by the headteacher/principal as to whether there may be a potential risk to children and young people ISW support.

- use inappropriate language to or in the presence of Student
- discuss their personal or sexual relationships with or in the presence of Student
- make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such
- withhold information about any issues in respect of their relationships, associations or any other matters both within and outside of the school (including online) which may have implications for the safeguarding of children in school

This means that Practitioners/volunteers should:

- inform Lyn Brown CEO or specified person of any cautions, convictions or relevant orders accrued and/or if they are charged with a criminal offence; and/or any matter which might have implications for the safeguarding of children in school during their employment
- be aware that behaviour including online behaviour by themselves, those with whom they have a relationship or association or others in their personal lives may impact upon their work with children and young people

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This means that Inspire South West have a clear expectation that Practitioners/volunteers will discuss with the CEO (Lyn Brown) any relationship/ association that may have implications for the safeguarding of children/young people ISW support.

Inspire South West will

- create a culture where Practitioners/Volunteers feel able to raise these issues
- safeguard their Practitioners/volunteers welfare and contribute to their duty of care towards their staff
- identify whether arrangements are needed to support these Practitioners

Practitioners/volunteers should be aware that any such behaviour, either in or out of the workplace, could compromise their position within ISW in relation to the protection of children, loss of trust and confidence, or bringing ISW into disrepute. Such behaviour may also result in prohibition from teaching by the Teaching Regulation, a bar from engaging in regulated activity, or action by another relevant regulatory body.

The Childcare (Disqualification) Regulations 2018 set out grounds for disqualification under the Childcare Act 2006 where an individual meets certain criteria set out in the Regulations. For example, an individual will be disqualified where they have committed a relevant offence against a child; been subject to a specified order relating to the care of a child; committed certain serious sexual or physical offences against an adult; been included on the DBS children's barred list; been made subject to a disqualification order by the court; previously been refused registration as a childcare provider or provider or manager of a children's home or had such registration cancelled.

A disqualified person is prohibited from providing relevant early or later years childcare as defined in the Childcare Act 2006 or being directly concerned in the management of such childcare. Schools and private childcare settings are also prohibited from employing a disqualified person in respect of relevant early or later years childcare.

The Disqualification under the Childcare Act 2006 (Regulations 2018) state that schools should make clear their expectation that Practitioners should disclose any relationship or association (in the real world or online) that may impact on the ISWs ability to safeguard Clients. This applies to all Practitioners and those representing ISW.

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Practitioners are expected to inform Lyn Brown in writing or in discussion about any such matter which might have implications for the safeguarding of children/young people ISW support, so that the ISW can safeguard the welfare of Practitioners as well as children/young people and their families.

### **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, Practitioners both employed, self-employed and volunteers should select a manner of dress and appearance appropriate to their professional role and those may need to be different to how they dress when not at work. Practitioners both employed, self-employed and volunteers should ensure they are dressed decently, safely and appropriately for the tasks and work they undertake. Those who dress or appear in a manner which could be viewed as offensive, inappropriate or provocative, ISW practitioners are supplied with ISW uniform, this to be worn if available and appropriate.

### **Gifts, rewards, favouritism and exclusion**

The giving of gifts or rewards from young people and their families should be in accordance with agreed practice, consistent policy and cleared with Lyn Brown, Gifts need to be recorded and not based on favouritism. In some situations, the giving of gifts as rewards may be accepted practice for a group of children, whilst in other situations the giving of a gift to an individual child or young person will be part of an agreed plan, which is recorded and discussed with a member of SLT and parents/carers.

Practitioners and volunteers should take care to ensure that they do not accept any gift that might be construed as a bribe by others or lead the giver to expect preferential treatment.

There are occasions when children, young people or parents may wish to pass small tokens of appreciation to Practitioners and volunteers, e.g., to mark a special achievement, occasion or religious festival or as a thank you and this is usually acceptable however always need to be recorded and discussed with SLT.

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However, it is unacceptable for Practitioners or volunteers to receive gifts on a regular basis or that are of any significant value.

Practitioners may give cards; however, these should be signed on behalf of ISW with no kisses etc

### **Social Contact outside of the workplace/Conflict of interest**

Practitioners/volunteers should not establish or seek to establish social contact with Children/young people or their families for the purposes of securing a friendship or to pursue or strengthen a relationship.

However, it is acknowledged that Practitioners/volunteers may have genuine friendships *and social contact with parents*. such as when a parent and practitioner are part of the same family/personal network or social/recreational circle. Those circumstances will usually be easily recognised, openly acknowledged and should be explicitly declared in writing to Lyn Brown. Practitioners and volunteers should always take care to maintain appropriate personal and professional boundaries in any such circumstances

### **This means that Practitioners/volunteers should**

- Record and report to Lyn Brown any incidents or indications (verbal, written or physical) that suggest a pupil/student/child young person or family member may have developed an infatuation with a Practitioners or volunteer
- always acknowledge and maintain professional boundaries

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

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Practitioners should recognise that some types of social contact with Student or their families could be perceived as harmful or exerting inappropriate influence on children and may bring ISW into disrepute (e.g. attending a political protest, circulating propaganda).

Practitioners and volunteers should therefore be aware that social contact in certain situations could be misconstrued as grooming.

If a pupil/student/young person or parent seeks to establish social contact, or if this occurs coincidentally, Practitioners or volunteer should exercise her/his professional judgement in making a response but should always discuss the situation with Lyn Brown as outlined in ISWs social media policy.

Some Practitioners and volunteers may, as part of their professional role, be required to support a parent or carer, for instance when initiating an Early Help assessment or supporting a parent who experiences difficulties in managing their child's behaviour or a personal crisis such as bereavement, domestic abuse or a relationship breakdown.

Care needs to be exercised in those situations where the parent comes to depend upon the Practitioners for support outside their professional role. This situation should be discussed with Lyn Brown, where necessary, referrals made to the appropriate support agency.

### **Communication with children, young people and their parents/carers (including the use of technology)**

In order to make best use of the many educational and social benefits of new and emerging technologies, Children and young people need opportunities to use and explore the digital world. Online safety risks are posed more by behaviours and values than the technology itself.

Practitioners should ensure that they establish safe and responsible online behaviours, working to local and national guidelines and acceptable use policies which detail how new and emerging technologies may be used.

Communication with children both in the 'real' world and through web based and telecommunication interactions should take place within clear and explicit professional boundaries. This includes the use of computers, tablets, phones, texts, Emails, instant messages, social media such as Facebook and Twitter, chatrooms, forums, blogs, websites, gaming sites, digital cameras, videos, webcams and other handheld devices. NB Given the

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ever-changing world of technology it should be noted that this list gives examples only and is not exhaustive.

Practitioners /volunteers who communicate with Children/young people and their parents using Email, telephone, text should only do so for professional purposes. Emails should only be sent to the pupil/student's school email address.

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

Email, text or social networking communications between Practitioners or volunteers and a pupil/student/parent/young person outside this Code and agreed protocols may lead to disciplinary and/or criminal investigations.

### **Physical contact**

There are occasions when it is entirely appropriate and proper for Practitioners and volunteers to have physical contact with Children/young people with whom they are working. However, it is crucial that they only touch children in ways which are necessary and appropriate to their professional or agreed role and responsibilities and in relation to the pupil's individual needs and any agreed care plan.

There may be some occasions when Practitioners or volunteers consider that a distressed child needing comfort and reassurance requires physical contact. Young children, in particular, may need immediate physical comfort, for example after a fall, separation from a parent etc. Practitioners and volunteers should use their professional judgement to comfort or reassure a child in an age-appropriate way whilst maintaining clear professional boundaries. However, it is important to emphasise that not all children and young people feel comfortable about physical contact. This should be recognised and, wherever possible, adults should seek the child's/young person's permission before initiating contact and be sensitive to any signs that they may be uncomfortable or embarrassed. Practitioners and volunteers should acknowledge that some Student are more comfortable with touch than others and/or may be more comfortable with touch from some adults than others. Practitioners and volunteers should listen, observe and take note of the child's reaction or feelings and so far, as is possible, use a level of contact and/or form of communication which is acceptable to the pupil.

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**This means that Practitioners and volunteers should:**

- be aware that even well-intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described
- never touch a child in a way which may be considered indecent
- always be prepared to report and explain actions and accept that all physical contact will be open to scrutiny
- not indulge in 'horseplay' or 'fun fights'
- always allow/encourage children, where able, to undertake self-care tasks independently
- not assume that all children seek physical comfort if they are distressed consider alternatives, where it is anticipated that a child /young person might misinterpret or be uncomfortable with

Where Practitioners or volunteer has a particular concern about the need to provide comfort or reassurance that includes physical contact, or is concerned that an action may be misinterpreted, this should be reported and discussed with Lyn Brown, who will make a judgement about when and how to inform parents/carers. It is important that Practitioners and volunteers take particular care when working with a pupil/student on a one-to-one basis as per ISW lone working policy.

It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child in one set of circumstances may be inappropriate in another, or with a different child.

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

Physical contact should never be secretive, or for the gratification of the member of Practitioners or volunteer or represent a misuse of authority. If a member of Practitioners or volunteer believes that an action by them or a colleague could be misinterpreted, or if an action is observed which is possibly abusive, the incident and circumstances should be reported immediately to Lyn Brown and an appropriate record made. Where appropriate, Lyn will consult with the Designated Officer in the Local Authority (LADO).

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Extra caution may be required where it is known that a child has suffered previous abuse or neglect. Practitioners and volunteers need to be aware that the child may associate physical contact with such experiences. They should also recognise that these Children/young people may seek out inappropriate physical contact.

In all circumstances where a child or young person initiates inappropriate physical contact, it is the responsibility of the adult to deter the child sensitively and help them understand the importance of personal boundaries. Such circumstances must always be reported and discussed with **Lyn Brown** and the parent/carer.

Where a child seeks or initiates inappropriate physical contact with a Practitioner or volunteer, the situation should be handled sensitively, and care taken to ensure that contact is not exploited in any way. Careful consideration must be given to the needs of the child/young person and advice and support given to Practitioner or volunteer concerned.

A general culture of 'safe touch' should be adopted, where appropriate, to the individual requirements of each child. Young people/children with special educational needs or disabilities may require more physical contact to assist their everyday learning. The arrangements should be understood, and practitioners must

- always explain to the pupil the reason why contact is necessary and what form that contact will take
- report and record situations which may give rise to concern
- be aware of cultural or religious views about touching and always be sensitive to issues of gender
- understand that physical contact in some circumstances can be easily misinterpreted

Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment, i.e., one easily observed by others and last for the minimum time necessary. The extent of the contact should be made clear and undertaken with the permission of the child/young person. Contact should be relevant to their age and level of understanding and adults should remain sensitive to any discomfort expressed verbally or non-verbally by the child/young person.

Any incidents of physical contact that cause concern or fall outside of these protocols and guidance should be a member of SLT and parent or carer.

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## **Behaviour Management**

All children and young people have a right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour. Corporal punishment and smacking are unlawful in all schools and early years' settings.

Practitioners and volunteers should not use any form of degrading treatment to punish a Child/young person. The use of sarcasm, demeaning or insensitive comments towards children and young people; and any approach to behaviour management that seeks to persuade children to conform as a result of feeling shame and/or humiliation is completely unacceptable. Any sanctions or rewards used should be part of our behaviour management policy.

Where children/young people display difficult or challenging behaviour, Practitioners and volunteers must follow ISW behaviour policy,

## **Sexual conduct**

Any sexual behaviour by Practitioners or volunteer with or towards a child/young person is unacceptable. Young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions depending on their age and understanding. This includes the prohibition of sexual activity with children by adults in a position of trust. It is an offence for Practitioners in a position of trust to engage in sexual activity with a pupil under 18 years of age.

Any sexual activity between Practitioners or volunteer with a Child/young person irrespective of the latter's age will always be regarded as a grave breach of trust and a matter for disciplinary action.

The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material. '*Working Together to Safeguard Children*' defines sexual abuse as "forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening".

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Allowing or encouraging a relationship to develop in a way which might lead to a sexual relationship is also unacceptable.

All Practitioners and volunteers should therefore clearly understand the need to maintain appropriate boundaries in their contacts with children and young people.

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 child and manipulate that relationship so sexual abuse can take place. All Practitioners and volunteers should undertake appropriate training so they are fully aware of those behaviours that may constitute 'grooming' and of

### **Lone working**

It is important to remember that ISWs undertake most of their work on a one-to-one basis all practitioners/volunteers and those representing ISW should regularly familiarise themselves with ISW lone working policy

Under no circumstances should a Practitioners/volunteer visit a pupil/student in their home outside agreed work arrangements.

### **Transporting children and young people**

In certain situations, Practitioners/volunteers may be required or offer to transport Student as part of their work. As with any other activity undertaken at work, the employer has a duty to carry out a risk assessment covering the health and safety of their Practitioners and to manage any known risks

Consideration must be given to the potential distraction of the driver and the supervision of the passengers. A judgement should be made about the likely behaviour and individual needs of the child/ children. If any of them may require close supervision, then another adult should travel in the vehicle so that the driver is not distracted or compromised.

Practitioners and volunteers should not offer lifts to Student unless the need for this has been agreed by Lyn Brown.

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It is a legal requirement that all passengers wear seatbelts, and it is the responsibility of the Practitioners who is driving the vehicle to ensure that this requirement is met. Practitioners and volunteers should also be aware of and adhere to current legislation regarding the use of appropriately fitted car seats/booster seats for younger children.

Practitioners and volunteers should ensure that their behaviour is safe and that the transport arrangements and any vehicle used to transport Student meet all legal requirements. They should ensure that the vehicle is roadworthy and appropriately insured and that the maximum carrying capacity is not exceeded. Please see risk assessment RE travelling with young person in car.

Practitioners and volunteers should never offer to transport Student outside of their normal working duties, other than in an emergency or where not doing so would mean the child might be at risk. In those circumstances the matter should be recorded and reported to **Lyn Brown** and the child's parent(s) at the earliest possible opportunity, *please also familiarise self with ISW "in the event of a RTC" procedure.*

### **Photographs and videos of children/young people**

Always ensure that SLT are aware that the photographic/image capturing equipment is being used and for what purpose

Please also ensure permission has been given by child/young person and their parent/carer/social worker.

Making and using images of children/young people will require the age-appropriate consent of the individual concerned and their parents/carers. Images will not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the setting have access.

For the protection of children/young people and their families, the following guidelines must be followed when using images for the purposes of publicising the setting:

- if the image is used, avoid naming the child, (or, as a minimum, use first names rather than surnames)

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- if images are being used avoid getting direct face shots

**This means practitioners/volunteers of anyone representing ISW should not**

- take images of Students for their personal use
- display or distribute images of children/young people unless they are sure that they have parental consent to do so (and, where appropriate, consent from the child)
- take images of children in a state of undress or semi-undress or which could be considered as indecent or sexual
- take images 'in secret', or take images in situations that may be construed as being secretive
- take images of a child's injury, bruising or similar (e.g. following a disclosure of abuse) even if requested by children's social care

**Exposure to inappropriate images**

Practitioners should take extreme care to ensure that children and young people are not exposed, through any medium, to inappropriate or indecent images. The setting and Practitioners and volunteers working directly with Children/young people

need to ensure that internet-enabled ICT equipment used by Children/young people has the appropriate filters and restrictions to minimise the likelihood of access to inappropriate material.

There are no circumstances that will justify adults making, downloading, possessing or distributing indecent images or pseudo-images of children (child abuse images). Accessing these images, whether using the setting's or personal equipment, on or off the premises, or making, storing or disseminating such material is illegal.

Under no circumstances should Practitioners or volunteers use equipment belonging to the setting to access pornography. Personal equipment containing pornography or links to it should never be brought into or used in the setting. This will raise serious concerns about the suitability of the adult to continue working with children and young people.

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Practitioners/volunteers should keep their passwords confidential, should educate Children/young people to do the same and should not allow unauthorised access to equipment. In the event of any indecent images of children or unsuitable material being discovered on a device, the equipment should not be tampered with in any way. It should be secured and isolated from the network, and the DO contacted without delay. Adults should not attempt to investigate the matter or evaluate the material themselves as this may lead to a contamination of evidence and a possibility, they will be at risk of prosecution themselves.

### **30. Whistleblowing**

Whistle blowing is the mechanism by which Practitioners and volunteers can voice their concerns, made in good faith, without fear of repercussion. Inspire South West has a clear and accessible whistleblowing policy that meets the terms of the Public Interest Disclosure Act 1998. Practitioners and volunteers who use whistleblowing procedures should have their employment rights protected.

Practitioners and volunteers should recognise their individual responsibilities to bring matters of concern to the attention of the headteacher/principal and/or relevant external agencies including the DO when appropriate 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.

### **Sharing concerns and recording incidents**

All Practitioners/volunteers should be aware of the ISW's child protection and safeguarding procedures, including procedures for dealing with allegations against Practitioners, volunteers.

All Practitioners and volunteers should feel able to raise concerns about any poor or unsafe practice and any potential failure in the setting's safeguarding regime and have confidence that any such concerns will be taken seriously by the CEO Lyn Brown

### **Professional behaviour**

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Practitioners both employed and self-employed must not misuse or misrepresent their position, qualifications or experience or bring the reputation of ISW into disrepute. Such behaviour may lead to disciplinary and Serious safeguarding related allegations that are upheld will be referred to the Disclosure and Barring Service (DBS).

### **Criminal actions**

Practitioners/volunteers must inform CEO immediately if they are subject to a criminal conviction, caution, ban, police enquiry, investigation or pending prosecution. Lyn will discuss the situation with the practitioner in the context of their role and responsibilities in order to help safeguard children, other Practitioners and ISWs reputation.

### **Health and safety**

Practitioners both employed and self-employed must adhere to Inspire South West's health and Safety policy, procedure and guidance and must ensure that they take every action to keep themselves and everyone safe and well.

This includes taking immediate safety action in a potentially harmful situation as well as ensure risk assessments are carried out on an individual basis.

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