

Millthorpe School



Safeguarding Policy



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SAFEGUARDING POLICY

CODE OF CONDUCT

1. Introduction

Malicious allegations against school employees are thankfully rare. Likewise, allegations of serious abuse are also rare.

The evidence in York, and wider afield, is that many allegations and concerns, raised by young people, against school employees, can be avoided and often arise due to the employee failing to follow good professional practice.

It is tempting to believe that if we have child protection procedures, undertake Criminal Records Bureau checks and make our recruitment processes more robust, that children will be safeguarded. Whilst these measures are important, it is the adults surrounding the child that afford the best protection - adults who are professional, display humanity and have a sense of clear boundaries.

It is in no one's interest to engage in defensive practice or to restrict children's experiences in order to avoid an allegation. However, it is in everyone's interest, (children and adults), to ensure that children are safeguarded and, importantly, feel safe. It is also in everyone's interest that adults who work with children also feel safe, without fear of being the subject of an allegation.

Working with children presents many challenges and can, on occasions, push tolerance to its limits. As human beings, we can feel frustration and anger, especially on those occasions when our own defences are low. However, as professionals, we have a responsibility to develop strategies to respond effectively to these challenges, and mechanisms that allow us to seek help and advice (no matter how experienced we are).

The following guidance is designed to assist. It should not be read as rules, rather as a commonsense guide to working with children.

2. Policy context

This document provides a guide for all adults working at Millthorpe School (including staff, governors, volunteers and visitors) about acceptable and desirable conduct to protect both adults and students. It refers to and complements other policies and guidance in school, including:

- Millthorpe Child Protection Policy

- Millthorpe Behaviour Policy
- Millthorpe Policy on Physical Interventions

This policy is based upon the attached DCSF document 'Guidance for Safe Working Practice for the Protection of Children and Staff in Education Settings (Sept 2006), in which you can find useful examples of acceptable and unacceptable conduct, together with a discussion of the issues raised.

All adults working in the school should know the name of the Designated Child Protection Teacher in the school, Scott Butterworth, and the names of other members of the Child Protection Team, Mark Nichols, Graham Fairclough, Katy Bell, Sue Cordell, Eleanor Kirby, Richard Harper and Mike Boothman. It is vital that all adults are familiar with the child protection procedures within school and understand their responsibilities to safeguard and protect children and young people. All adults in the school can also expect to be protected from false allegations and accusations.

3. Protecting children and yourself

Principles

- The child's welfare is paramount (Children Act 1989) - adults have the Staff Charter: Rights and Responsibilities (section 6 in the staff handbook).
- Adults working in school are responsible for their own actions and behaviour and should avoid any conduct that would lead a reasonable person to question their motivation or intentions.
- Adults working in the school must work and be seen to work with openness and transparency.
- Adults should discuss and/or take advice promptly from the Headteacher, or Scott Butterworth, about any incident which could give rise to concern.
- An accurate record should be kept of any such incidents and of decisions made/further action agreed, in accordance with school record keeping policy.
- Staff should apply the same professional standards regardless of gender or sexuality.
- Staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.
- Young people should feel confident in raising concerns but must also recognise the serious nature of allegations against staff. Malicious allegations¹ will have serious consequences.

¹ A malicious allegation is one that can be proved to be false and where there is evidence that the person making the allegation has been motivated by malice or reward.

All staff, volunteers, and regular visitors from external agencies to the school (including cover staff) must:

Be familiar with and work in accordance with the school's policies including in particular:

- Child Protection
- Behaviour
- Physical Intervention
- Internet Safety
- Intimate Care
- Health and Safety
- Use of Photography and Video
- Whistleblowing

Provide a good example and a positive role model to students:

- Behave in a mature, respectful, safe, fair, and considered manner. For example, you must ensure that you:
 - are not sarcastic, and do not make remarks or 'jokes' to students of a personal, sexual, racist, discriminatory, intimidating or otherwise offensive nature;
 - do not embarrass or humiliate children.
- Do not discriminate favourably or unfavourably towards any child. For example,
 - Treat all pupils equally – never build 'special' relationships or confer favour on particular pupils
 - Do not give or receive (other than token) gifts unless arranged through school
- Ensure that your relationship with students remains on a professional footing. For example, you must:
 - only touch students for professional reasons, and when this is necessary and appropriate for the student's wellbeing or safety (more guidance on this is set out in the DCSF Guidance for Safe Practice referred to above), where ever possible within the presence of others;
 - not behave or dress in a way that could lead a reasonable observer to question your conduct, intentions or suitability to care for other people's children;
 - not make arrangements to contact, communicate or meet with students outside your work (this includes use of email, text and

other messaging systems);

- not develop 'personal' or sexual relationships with students. In particular, your attention is drawn to the provisions of the Sexual Offences Act 2003, which creates a new criminal offence of abuse of a position of trust (when a person aged 18 or over is in a 'position of trust' with a person under 18 and engages in sexual activity with or in the presence of that child, or causes or incites that child to engage in or watch sexual activity).

4. Policy summary

If students:

- touch you inappropriately;
- make inappropriate sexual comments/suggestions towards you;

refer directly to your Line Manager, who may then speak to Graham Fairclough, Mark Nichols or Scott Butterworth. Alternatively, speak to Scott Butterworth directly if you have a serious concern, or if you feel this is more appropriate.

5. Protecting children and yourself

Do:

- avoid one to one contact with students as far as possible. If it is necessary to have one to one contact, aim to leave the classroom door open or meet in a public space in the school such as the library;
- talk to your Subject Leader if you feel that there is a possibility that you could lose control of your behaviour with particular students or classes;
- report to your Subject Leader any situation which you feel could give rise to an allegation by a student against you as soon as possible. Your Subject Leader will decide whether to also inform Scott Butterworth.

Do not:

- cover up glass panels in doors with posters etc – it is important that your actions are as transparent as possible;
- behave in a way that could be perceived as physically intimidating, humiliating or out of control – this does not mean that you may never raise your voice!
- carry out acts which could be considered to be favouritism eg giving birthday cards or gifts outside of the school's official reward systems to particular students;
- give lifts in your car to students on a one to one basis unless you have appropriate insurance, parental permission and line manager agreement to do

so;

- give out your personal telephone number to students, or communicate with them by texts or internet;
- make jokes or comments of a sexual or otherwise risqué nature.

6. Allegations of physical or emotional abuse made about members of staff

Do:

- report any allegations of which you become aware to Scott Butterworth.

Do not:

- make judgements about whether the alleged event has actually occurred;
- attempt further questioning or investigation - it is the Headteacher's and the Local Authority Designated Officer's responsibility to make a decision on next steps.

7. Behaviour by staff that gives rise to concern

Do:

- intervene if you see another member of staff acting in a way that could give rise to an allegation of physical or emotional harm, eg by asking if you can get a Head of Year to assist;
- report any such incident to Scott Butterworth as soon as possible.

Do not:

- ignore the behaviour.

8. Entering students' toilets and PE changing rooms

Do:

- PE staff and staff carrying out personal care tasks that students cannot carry out themselves will need to enter students' toilets and changing rooms during the normal course of their duties - if you need to enter for some other reason (eg because you believe that a student is at physical risk from other students), loudly announce your intention before doing so;
- enter with another member of staff if possible;
- avoid behaviour that could be interpreted as physically intrusive.

Do not:

- enter students' toilets or changing rooms unnecessarily;
- assist with any personal care task that a student could carry out themselves.

9. Physical threats to members of staff

Do:

- aim to diffuse the situation, eg calmly acknowledge that the individual is upset and suggest that they leave the room;
- call for a Head of Year or member of the Senior Leadership Team, if necessary making clear the urgency of the situation.

Headteacher	Steve Smith	686401
Deputy Headteacher	Scott Butterworth	686403
Assistant Headteacher	Alison Hesley	686430
Assistant Headteacher	Tim Gillbanks	686412
Assistant Headteacher	Gareth Davies	686434 / 443
Head of Year 7	Ellie Kirby	686437
Head of Year 8	Sue Cordell	686439
Head of Year 9	Richard Harper	686440
Head of Year 10	Katy Bell	686409
Head of Year 11	Mike Boothman	686444

- report the threat to your line manager as soon as possible.

Do not:

- risk an escalation of the situation by shouting back.

10. Fights between students

Do:

- aim to diffuse the situation or prevent a student being hurt – you have a legal duty to do so;
- try to diffuse the fight by using a verbal intervention;
- only intervene physically if a verbal intervention fails and if absolutely necessary, make sure you safeguard yourself;
- send a trustworthy student for help if there is no other adult available or

telephone for a Head of Year or member of the Senior Leadership Team.

Do not:

- ignore the situation.

11. Suspicions of alcohol and drug abuse

Do:

- try to contain the student on school premises without further questioning or investigation;
- call for back-up from senior staff;
- call for a first-aid trained colleague via reception.

Do not:

- ignore the situation.

12. Students leaving classroom without permission

Do:

- make clear to the student that they do not have permission to leave the classroom and that they are making a choice from which there will be a consequence;
- report the student's absence (eg by telephone to reception or by sending a Teaching Assistant).

Do not:

attempt to block the student's exit by standing in doorway or putting your arm out.

13. Physical contact between staff and students

Do:

- be careful about any physical contact with students, particularly in one to one situations. Whilst limited physical contact may be appropriate on occasion eg an arm around the shoulder of a distressed student, you must be very careful about the possibility of misunderstandings.

Do not:

- poke, push or grab students to make them behave;
- initiate unnecessary physical contact.

14. Infatuations

Do:

- report any incidents where you suspect a student may have developed an infatuation with you to your Subject Leader who may decide to discuss the matter with Scott Butterworth;
- record your observations and concerns, providing dates and time and an accurate account of any conversation.

Do not:

- behave in a way that could make the student feel that their feelings may be reciprocated;
- deal with a suspected infatuation on your own – it is vital that you report it immediately.

15. Home visits

Do not:

- carry out a home visit unless it is a necessary and explicit part of your job and you have explicit permission from senior management to do so.

16. Photography and filming of students

Do:

- make sure that there is a clear educational justification for any photography or filming of students;
- be clear about the purpose of the photography or filming, particularly to the students;
- refer to Millthorpe School's admissions form. Obtain Data Protection photographic permission if there are any plans to publish any photographs.

Do not:

- take photographs in one to one situations.

RESPONDING TO ALLEGATIONS MADE AGAINST A SCHOOL EMPLOYEE

The statutory guidance, *Working Together to Safeguard Children 2006*, states that the following process must be followed if the allegation or concern fits within the scope of the statutory guidance that you have:

- behaved in a way that has harmed a child, or may have harmed a child; *or*
- possibly committed a criminal offence against or related to a child; *or*
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children; *or*
- that the allegation is clearly and demonstrably without foundation.

When an allegation or concern is made against a member of school staff, relating to the person's conduct towards a child, the following process **must be followed**.

- The allegation or concern must immediately be reported to Scott Butterworth.
- If the allegation or concern relates to Scott Butterworth, the matter must be reported to the Headteacher.
- If the allegation or concern fits with the scope of the guidance, Scott Butterworth must report the matter to the Local Authority Designated Officer (LADO) within the same working day.
- The LADO will discuss the matter with the Headteacher in order to decide which process should be followed. Where it is believed that the allegation falls within the scope of the guidance, there are three possible strands to enquiries that may be initiated:
 - child protection;
 - criminal enquiries;
 - disciplinary.
- If the matter is felt to constitute a criminal offence the police will be informed and a strategy meeting held.
- If the matter is felt to be child protection, Children and Family Services will be informed and a strategy meeting held.
- If the matter is felt to amount to an employment or capability issue, the matter will be discussed with the City of York Council Human Resources Department.
- Strategy meetings are convened by Children and Family Services and involve the relevant agencies, including the Headteacher. The purpose of the strategy meeting is to agree the strategy of the investigation and to ensure that each agency works together. The meeting will always consider the most appropriate support needed for the child and the alleged person.

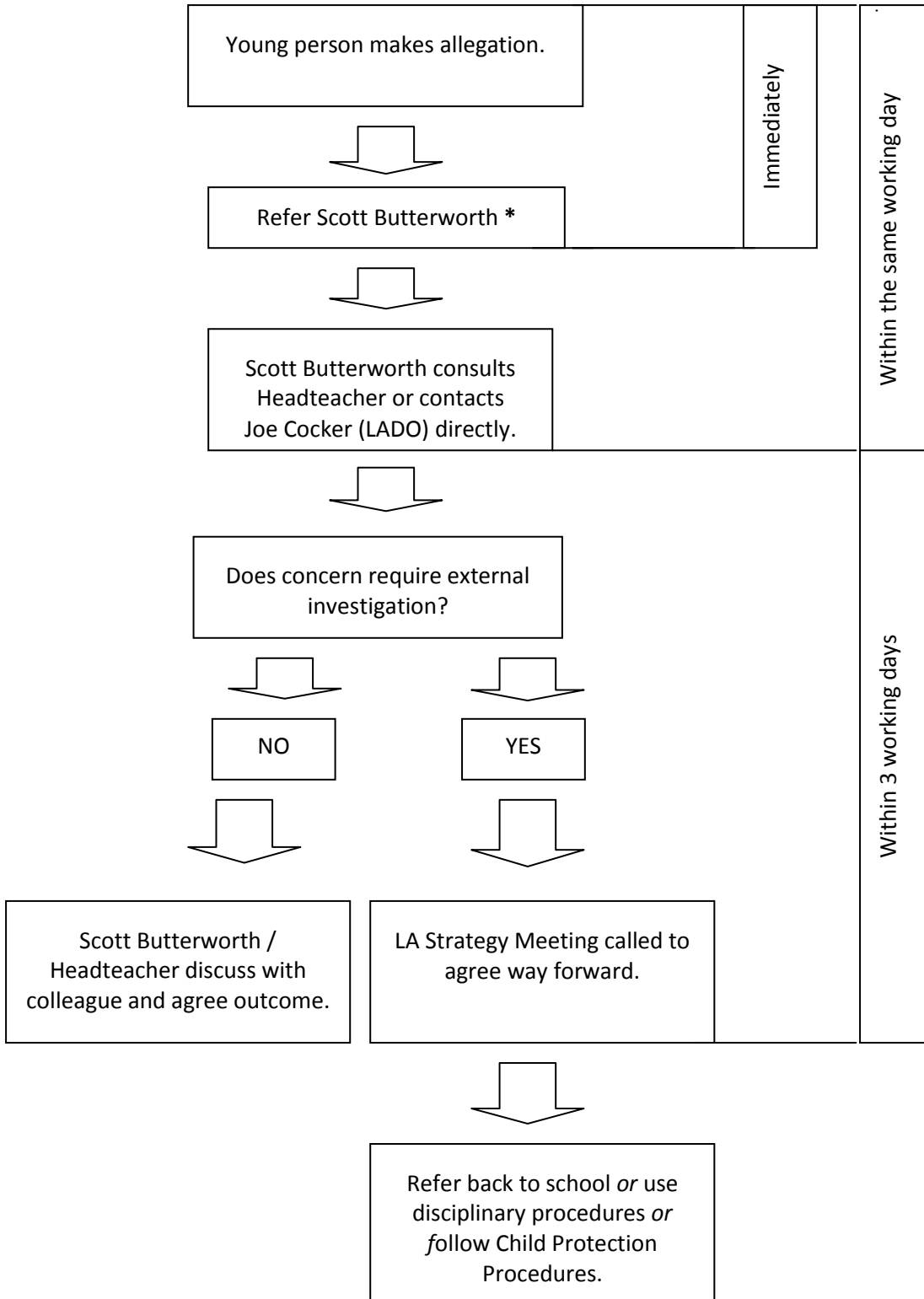
Adopted by Governors: (Date of Meeting)

Committee Link:

Signed: (Chair)

For Review: (Date)

Allegation against a member of school staff flow diagram



* If an allegation is made against the Deputy Headteacher, refer to the Headteacher.

If an allegation is made against the Headteacher, refer to the Deputy Headteacher and Chair of Governors. Consult also with the Local Authority Designated Officer (LADO).