



2.1.1 Staff Code of Conduct

St. Michael's Pre-school recognises that it has a duty of care towards its employees to provide a safe working environment for staff.

Code of conduct agreed (date):	26-09-2023
Code published (including on website) (date):	29-09-2023
Next review (date):	Every 1 years or as required

Key Personnel

Role	Name	Tel.	Email
Manager	Sonja Kotevska	07849 722670	sonja.kotevska@st-michaels-preschool.uk
Designated Safeguarding Lead	Sonja Kotevska	07849 722670	sonja.kotevska@st-michaels-preschool.uk
Deputy DSL(s) (DDSL)	Lindsay Gadd	07849 722670	lindsay.gadd@st-michaels-preschool.uk
Designated Trustee safeguarding	Victoria Pearmain	07849 722670	pr@st-michaels-preschool.uk
Chair of Trustees	Victoria Pearmain	07849 722670	chair@st-michaels-preschool.uk
Designated Officer for Allegations (Wiltshire Council)	DOFA	0300 456 04108	

The key safeguarding responsibilities within each of the roles above are set out in Early Years Foundation Stage Statutory Framework 2021

Designated Officer for Allegations	0300 456 0108
Children's Social Care referrals:	
Multi-Agency Safeguarding Hub (MASH):	0300 456 0108
Out of hours:	0300 456 0100

If you believe a child is **at immediate risk** of significant harm or injury, you **must** call the police on 999.

Introduction

St. Michael's Pre-school is committed to positive academic, social and emotional outcomes for our children, underpinned by a strong safeguarding ethos. We are equally committed to the welfare of our staff, who are expected to adhere to the highest standards of professional behaviour to maintain confidence and respect of the general public and colleagues..

The Trustees will make sure that this code of conduct is in line with national and local requirements to protect and support the children and adults in our setting.

We will fulfil our local and national responsibilities as laid out in the following key documents:

- Working Together to Safeguard Children (2018)
- Early Years Foundation Stage Statutory Framework (2021)
- The Procedures of Safeguarding Vulnerable People Partnership (SVPP)
- Non-statutory interim guidance

See Appendix 1 for further relevant guidance documents

This code is based on the Guidance for Safer Working Practice for those working with children and young people in education settings (May 2019 with April 2020 Addendum).

The code of conduct aims to provide a guide for adults about acceptable and desirable conduct to ensure that staff maintain safe working practice and so **safeguard both adults and children**.

This code does not provide a complete checklist of appropriate behaviour for staff in every circumstance. Staff must make judgements about their behaviour to secure the best interests and welfare of the children in their charge and, in so doing, will be seen to be acting reasonably.

In *very exceptional* circumstances where a member of staff believes it is in the best interest of a child to breach these guidelines, that person **must** tell the Manager/DSL/DDSL of the justification for any proposed, or action already taken, at the earliest opportunity. The Manager/DSL/DDSL will make a written record of that discussion including any areas of disagreement and actions taken.

Scope

This code of conduct is consistent with all other policies adopted by the Trustees and should be read alongside the **Child Protection and Safeguarding policy** as well as the following documents relevant to the safety and welfare of our children:

- 8.1 Health and Safety policy
- 8.3 Supervision of Children on Outings and Visits Policy
- 6.1 Administering Medicines Policy
- 10.6 Children's Records Policy
- Whistleblowing Section of the 1.2 Safeguarding Children and Child Protection Policy
- 10.9 Confidentiality and Client Access Records
- 7.1 Promoting Positive Behaviour policy
- 9.2 Supporting Children with Special Educational Needs Policy
- 10.7 Provider Records Policy

This code of conduct applies to all staff and volunteers working at St Michael's Preschool.

For the purposes of this policy

- 'Staff' refers to all those working at the setting, full time or part time, in a paid or voluntary capacity.
- A volunteer is a person who performs an activity that involves spending time, unpaid in this setting (except for approved expenses).
- A 'position of trust' is one in which one party is in a position of power or influence over another, due to their work or the nature of their activity.
- 'Child' refers to all children up to the age of 18. All adults are in positions of trust in relation to every child within our setting.

It does not apply to employees of external contractors and providers of services (eg contract cleaners). Such staff are covered by the relevant Code of Conduct of their employing body.

Expectations

All staff:

- are familiar with this code of conduct and have an opportunity to contribute to its review.
- understand their responsibilities to safeguard and promote the welfare of children
- are aware that failure to meet the standards of behaviour and conduct in this code may result in disciplinary action. This includes dismissal, criminal action and/or other proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity.

Rights and Responsibilities

Staff have a right to:

- be treated fairly
- be valued for the efforts/ strengths of their work and receive support in areas that need developing
- work in an atmosphere of mutual respect
- work in a clean, safe, secure, stimulating and well organised work place
- be listened to and for views to be respected
- be appropriately informed through open channels of communication
- have a workload that is conducive to a healthy work-life balance

Staff have a responsibility to:

- put children at the centre of all that they do
- contribute to a range of setting policies and procedures reviews as required
- listen to and respect the opinions of others
- support the development of colleagues
- arrive on time for work/events/activities suitably dressed
- contribute as appropriate to keeping the work place safe, secure, stimulating and well organised
- challenge unprofessional behaviour and prejudice in the workplace in an appropriate manner

Mandatory Procedures

Confidentiality

The sorting and processing of personal information is governed by GDPR 2018 – see 10.6 Children's Records Policy, 10.7 Provider Records Policy, 10.8 Transfer of records to School Policy and 10.9 Confidentiality and Client Access to Records Policy.

Child records are shared only with those who have a professional need to see them. When staff have access to confidential information about colleagues, children or their parents or carers, they must treat such information in a sensitive and confidential way, sharing it only in the interests of a child and when legally permitted to do so.

Trustees should not routinely access child records. Exceptions to this would be for the purpose of an investigation in line with the pre-school's complaint policy and procedures.

Staff and trustees will not use their position to gain access to information for their own advantage and/or a child's or family's detriment.

If a member of staff is concerned that a child is being abused, is at risk of being abused or may have been abused in the past, they will follow the agreed procedure set out in the flowchart 'what to do if you are worried about a child', displayed in setting entrance hall, office and toilet. See Safeguarding and Child Protection Policy.

If a member of staff is ever in any doubt about whether to share information or not, they should get advice from the designated safeguarding lead.

Staff relationships with children

Staff responsibilities

All staff and volunteers know that:

- they are in positions of trust in relation to all children on roll. They ensure that the power imbalance is never used for personal advantage or gratification. They avoid behaviour which might be interpreted by others as an abuse of the position of trust, and report any incident with this potential to the Manager/DSL/DDSL. This includes sharing personal contact details with children or families.
- they have a legal duty to protect the interests of children and accept the obligations inherent in that responsibility.
- they must not establish or seek to establish social contact with children to secure a friendship or to pursue or strengthen a relationship.
- they must inform the Manager/DSL/DDSL of any pre-existing (from before the member of staff or child starts at the setting) or new relationship with a child or close family member, which they feel might compromise the setting or their own professional standing.
- they should disclose any relationship or association (in the real world or online) that may impact on the setting's ability to safeguard pupils.
- it is an offence (Sexual Offences Act 2003) for a member of staff in a position of trust to engage in **any** form of sexual activity with a child under the age of 18.

Certain behaviours are at odds with a position of trust. These include, but are not limited to:

- Harassment or discrimination based on any characteristic protected by the Equality Act 2010
- Loss of personal civility including, personal attacks or insults, displays of temper (such as throwing objects), unwanted physical contact (pushing, shoving, hitting) or the threat of the same.

- Staff must not swear, blaspheme or use offensive language in front of pupils, nor use language which is discriminatory and demeaning in any way.

Such behaviours are disciplinary offences and may be referred to Local Authority and/or the police.

Social contact outside of the workplace

Staff must use their professional judgement when requesting or accepting any social contact (including through social media). This means that they must:

- not accept any request from pupils for contact via any social media platform.
- make a judgement about whether to maintain the connection in any cases where contacts were made before the child started at the school (e.g. teacher being friend with a parent). Staff must discuss any decision to maintain such contact with the setting manager.

We acknowledge that staff may have friendships and social contact with parents of children outside of the setting. Staff will not engage in conduct outside work that could damage their professional reputation or the reputation of the setting community.

Any contact that is deemed to bring the setting into disrepute or that might lead a reasonable person to question the staff member's motivation or intentions will always be investigated and could lead to disciplinary action.

Staff must not make sexual innuendos or any comments of a sexual nature to any child, nor make any comments trivialising alcohol or drug abuse.

Staff must inform the setting manager of any proposed or pre-existing arrangements between them and the families of children on roll that take place outside school, e.g. baby-sitting, sports coaching, music tuition.

Gifts, rewards, favouritism and exclusion

Staff must:

- declare any gift they receive from a parent or child. This does not include small tokens of appreciation such as at Christmas or the end of the year.
- Any rewards or treats will be given only as part of the setting's agreed behaviour (or other relevant) policy.
- advise the manager about the offer of any gift or hospitality, from outside or inside the setting, which might be interpreted as an attempt to influence
 - staff conduct towards children, parents or other employees or
 - a decision around provision of a service.

Leavers gifts may be given by a child's keyworker, only on that child's transition to school, to a maximum value of £5. On doing so the keyworker will ensure that all such children for whom they have responsibility will be treated equally.

Physical contact including intimate/personal care behaviour management

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 will be in response to the child's needs, of limited duration and appropriate to their age, stage of development, gender, background and any agreed support or care plan (see 9.2 Supporting Children with Special Educational Needs policy, 6.1 Administering Medicines Policy, 6.4 Nappy Changing Policy and 7.1 Promoting Positive Behaviour policy)

Staff understand that:

- on a daily basis, it may be entirely appropriate and proper for staff to have physical contact with children and that they only do so in ways appropriate to their professional role and in relation to the child's individual needs.

- some children are more comfortable with touch than others and/or may be more comfortable with touch from some adults than others. Whenever possible, adults seek the child's permission before initiating contact and are sensitive to any signs that the child may be uncomfortable or embarrassed.
- they have a responsibility to ensure the way they offer comfort to a distressed child is age appropriate never touch a child in a way which may represent a misuse of authority or considered indecent.
- physical contact must never be secretive, or for the gratification of the adult.
- they should be aware of cultural or religious views about touching and be sensitive to the issues of gender.

If a member of staff 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 will be immediately reported to the manager/DSL and recorded in writing. If appropriate, the manager/DSL will consult with the Designated Officer for Allegations (DOfA).

Staff understand that a child who has suffered previous abuse or neglect may associate physical contact with such experiences. They recognise that such a child may seek out inappropriate physical contact and know to deter the child sensitively to help them to understand the importance of personal boundaries. Staff know that they must never indulge in play that involves rough-and-tumble or fun fights.

Children with disabilities may require more physical contact to assist their everyday learning. The arrangements are understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny. Staff always allow/encourage children, where able, to undertake self-care tasks independently.

If a child's behaviour presents a serious risk to themselves or others, a robust risk assessment and, where relevant, a physical intervention plan is always put in place and reviewed regularly. In all cases where physical intervention takes place, staff record the incident and subsequent actions and report these to the designated safeguarding lead/manager and the child's parents.

One to one situations

Staff carefully consider the welfare needs of children when with them in a one to one situation. All spaces in the setting are set up to allow any activity to be easily observed by other staff in the setting. Windows and doors are kept clear from display materials to allow rooms to be overlooked and internal doors remain open when practicable.

Home visits and transporting children

All work with children and parents/carers is whenever possible undertaken in the setting. There are however occasions where it may be necessary to arrange a home visit e.g. as part of a child's induction programme. In such situations, staff will work in pairs.

During changes in operating practice due to a pandemic these activities will only be undertaken with the knowledge and consent of senior leadership and parents/carers (unless there is a good reason not to, e.g. safeguarding concern). Where possible staff will work in pairs. A risk assessment will be undertaken and the setting will ensure staff understand the purpose and limitations of their home visit.

First Aid and medication

Staff will follow the setting policies and procedures and the Statutory Framework for the Early Years Foundation Stage in respect of the administration of first aid and medication.

Staff Appearance (also applies to online)

Staff must dress smartly, in clothing appropriate to the role, compliant with professional standards and not likely to be viewed as offensive, revealing or sexually provocative. It should not distract, cause embarrassment or give rise to misunderstanding. Political slogans must be avoided.

Any staff with tattoos that might be viewed as offensive, provocative or likely to give rise to misunderstanding must ensure those tattoos always remain covered when that adult is working for the setting.

The acceptable use of technologies

Staff must not engage in inappropriate use of social network sites which may bring themselves, the setting,

setting community or employer into disrepute. Staff should ensure that they adopt suitably high security settings on any personal profiles they may have.

Staff must exercise caution in their use of all social media or any other web based presence that they may have, including written content, videos or photographs, and views expressed either directly or by association with websites/pages or posts established by others (eg 'liking', reposting or forwarding). This includes the use of dating websites where staff could encounter parents either with their own profile or acting covertly. They must consider the long-term implications of any content published by them online, specifically how it might ever have an adverse effect:-

- on their reputation as an individual working in an education setting
- their ability to maintain good professional boundaries with parents and with children
- on the reputation of the setting.

Staff must not access any content from the internet on personal devices during setting hours, on the setting site or on a setting computer or device at any time that could bring the school into disrepute or that might lead a reasonable person to question the staff member's motivation or intentions.

Exceptional Operating Circumstances

If the setting is required to change the way we offer our provision to children due to exceptional circumstances, e.g. during a pandemic lockdown, staff safeguarding responsibilities to children will continue to apply, in line with the safeguarding policy.

The pre-school manager/deputy manager will ensure staff, children and families are provided with written:

- temporary changes to procedures for working with children e.g. online.
- timescales for such changes so that all children, families and staff understand when such arrangements will end, and arrangements revert to those in place prior to the events leading to the need for the temporary changes.

Photography and recording

Staff are not permitted to use their phones, personal cameras, smart technology or any other personal device that can be used for photographing or recording children, when on duty for any purpose. Personal phones are kept in the designated area – a drawer in a locked office. Any pictures taken of children by the setting will be in accordance to the setting 1.6 Use of mobile phone and cameras policy.

Staff will not:

- take images of a child's injury, bruising or similar (e.g. following a disclosure of abuse)
- make audio recordings of a child's disclosure.

Concerns and allegations against staff (including volunteers and contractors)

If a member of staff is concerned about the behaviour of a person working or volunteering at the pre-school (including contractors), they will follow the agreed procedure set out in the flowchart 'allegation against adults', displayed in the office, foyer and toilets. See Safeguarding and Child Protection Policy 2021.

The pre-school operates a 'low-level' concerns policy in accordance with KCSIE. 'Low-level' refers to behaviour that is: inconsistent with expectations set out in this policy, including inappropriate conduct outside of work, and/or does not meet the allegation threshold, or is otherwise not considered serious enough to consider a referral to the DOfA.

All concerns, no matter how small, will be shared responsibly with the right person, recorded and dealt with promptly and appropriately. This will serve our commitment to create and embed a culture of openness, trust and transparency in which the pre-schools values and expected behaviour set out in this policy are constantly lived, monitored and reinforced by all staff.

'Low-level' concerns could include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photos of children on their mobile phones;
- engaging with a child on a one to one basis in a secluded area or behind a closed door
- using inappropriate sexualised, intimidating or offensive language.

We also encourage all staff to self-refer to their manager or DSL where they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

Whistleblowing

All staff and volunteers have a duty to raise concerns about poor or unsafe practices and potential failures in the school safeguarding regime. All staff within the setting who need to raise issues relating to the organisation with someone in confidence can use the following whistleblowing procedures.

In the first instance, concerns about poor or unsafe practice within must be raised with the setting manager.

Where a staff member feels unable to raise an issue with the setting manager or feels that their genuine concerns are not being addressed other whistleblowing channels may be open to them:

- A member of the governing body: The Chair of Trustees
- the NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 or email help@nspcc.org.uk if
 - they think the concern will not be dealt with properly, or
 - may be covered up, or
 - if they raised a concern but it has not been acted upon, or
 - if they are worried they are being treated unfairly.

Allegations against staff (including volunteers) - If a member of staff is concerned about the practice of a person working or volunteering at the setting they will follow the agreed procedure set out in the flowchart 'Allegation against adults', displayed in the foyer of the pre-school. See Safeguarding and Child Protection Policy dated 30th August 2020.

Any matter raised will be investigated confidentially, thoroughly and promptly. The outcome of the investigation will be reported back to the person raising a concern. Staff will not be victimised for whistleblowing using these procedures. Their continued employment and prospects for future promotion or training will not be prejudiced because they have raised a legitimate concern.

Training

All members of staff and volunteers have read, signed and understood the setting's Code of Conduct.

Induction

The welfare of all children on roll is of paramount importance. All staff including volunteers are informed of our staff Code of Conduct at induction alongside the child protection policy and given the chance to question and discuss the expectations set out.

Staff support

Work in early years settings is both rewarding and demanding. We support staff by prioritising time to discuss the challenges of their role linked to any aspect of this code of conduct with their line manager and seek further support as appropriate.

Monitoring and review

This policy is reviewed every 1 years or as required by changes to legislation or statutory guidance.

Related legislation and key documents

Keeping Children Safe in Education (2021)

Children Act 1989 (and 2004 update): The Children Act 1989 gives every child the right to protection from abuse and exploitation and the right to have enquires made to safeguard his or her welfare. The Act place duties on a number of agencies, including Settings, to assist Social Services departments acting on behalf of children and young people in need (s17) or enquiring into allegations of child abuse (s47).

Education Act 2002 - This requires Settings to make arrangements to safeguard and promote the welfare of children and to have regard to guidance issued by the Secretary of State for Education.

Equality Act 2010

Sexual Offences Act 2003 - This act sets out an offence of 'abuse of trust' - a sexual or otherwise inappropriate relationship between an adult who is responsible for young people and a young person in his/her care.

Information Sharing – Department for Education (DfE) Advice for practitioners providing safeguarding services to children, young people, parents and carers 2015 This advice is for all frontline practitioners and senior managers working with children, young people, parents and carers who have to make decisions about sharing personal information on a case by case basis.

Counter-Terrorism and Security Act 2015 (the CTSA 2015), section 26 requires all Settings, in the exercise of their functions, to have “due regard to the need to prevent people from being drawn into terrorism”. This duty is known as the Prevent duty.

The Safeguarding Vulnerable Groups Act (2006) Section 53(3) and (4) of this applies to Settings if they broker student accommodation with host families for which the host family receives a payment from a third party, such as a language Setting. At a future date, the regulated activity provider will have a duty to carry out a barred list check on any new carer – section 34ZA Safeguarding Vulnerable Groups Act 2006.

This policy was adopted by	St Michael's Trustee Committee
On	26-09-2023
Date to be reviewed	Every 1 year or as required
Signed on behalf of the provider	<i>Victoria Pearmain</i>
Name of signatory	Victoria Pearmain
Role of signatory (e.g. chair, director or owner)	Chairperson