



ABSTRACT FROM STAFF HANDBOOK

Section 4: Code of Conduct

Section 5: E-Safety – Acceptable use policy

4 Code of Conduct

4.1 Purpose

NMPAT wishes to foster a culture of the highest professional standards. This Code of Conduct sets out the standards expected of all staff, volunteers and trustees and to ensure effective safeguarding procedures are in place and to prevent staff and volunteers from being maliciously or mistakenly suspected or accused of professional misconduct in relation to their activities working with pupils. We all have a duty to keep pupils safe and to protect them from physical and emotional harm. This duty is, in part, exercised through the development of respectful, caring and professional relationships between adults and pupils and behaviour by adults, which demonstrates integrity, maturity and good judgment.

Everyone within NMPAT must feel able to raise issues of concern and must fully recognise the duty to do so particularly in terms of child protection. A member of staff who, in good faith, “whistle blows” using the systems set out in the Whistle Blowing Policy, or makes a public interest disclosure does so within the protection of the relevant legislation.

This document, by its nature, cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. However, it does highlight behaviour that is illegal, inappropriate or inadvisable. There will be occasions and circumstances in which staff have to make decisions or take action in the best interests of the pupil where no specific guidance has been given. Staff are expected to make responsible and informed judgements about their own behaviour in order to secure the best interests and welfare of the pupils in their charge.

The Code of Conduct forms part of the NMPAT’s disciplinary rules for staff. **A serious breach of the Code will be regarded as gross misconduct.** A less serious breach may result in a disciplinary warning.

Where an allegation concerning child protection is made against a member of staff this should be reported to the Chief Executive who will consult the Local Authority Designated Officer (Section 12 of the Local Safeguarding Children Board Northamptonshire Inter-Agency Procedures managing allegations and concerns of abuse made against people who work with children.) Where the allegation is against the Chief Executive it should be reported to the Chair of the Board of Trustees.

4.2 Principles of Professional Practice

All staff and volunteers must treat pupils and colleagues equally by taking their knowledge, views, opinions and feelings seriously, and value diversity and individuality.

Staff and volunteers must:

- Place the well being and learning of pupils at the centre of their professional practice

- Have high expectations for all pupils; be committed to addressing underachievement, and work to help pupil's progress regardless of their background and personal circumstances
- Model the characteristics they are trying to inspire in pupils, including enthusiasm for learning, a spirit of enquiry, honesty, tolerance, social responsibility, patience, and a genuine concern for other people
- Respond sensitively to the differences in the home backgrounds and circumstances of pupils, recognising the key role that parents and carers play in pupils' education
- Seek to work in partnership with parents and carers, respecting their views and promoting understanding and co-operation to support young people's learning and well-being in and out of school
- Reflect on their own practice; develop their skills, knowledge and expertise, and adapt appropriately to learn with and from colleagues

4.3 Confidentiality

Members of staff and volunteers may have access to confidential information about pupils in order to undertake their responsibilities. In some circumstances the information may be highly sensitive. Confidential or personal information about a pupil and or their family must never be disclosed to anyone other than on a need to know basis. In circumstances where the pupil's identity does not need to be disclosed the information should be used anonymously. Information must never be used to intimidate, humiliate, or embarrass a pupil.

There are some circumstances in which a member of staff may be expected to share information about a pupil, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay to those with designated pupil protection responsibilities.

Confidential information about pupils must be held securely. Information must only be stored for the length of time necessary to discharge the task for which it is required.

If a member of staff is in any doubt about the storage or sharing of information s/he must seek guidance from a senior member of staff. Any media or legal enquiries must be passed to senior management.

4.4 Propriety, Behaviour, Reputation and Appearance

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, pupils and the public in general. An individual's behaviour, either in or out of the workplace, should not compromise their position within the work setting or bring NMPAT into disrepute.

Staff and volunteers should always look professional and ensure that they are dressed appropriately for the tasks that they undertake. Those who dress or appear in a manner, which could be considered as inappropriate, could render themselves vulnerable to criticism or allegations of misconduct.

Staff and volunteers should not be under the influence of alcohol or illegal drugs whilst at work.

Personal property of a sexually explicit nature such as books, magazines, DVDs or such material on any electronic media must not be brought onto or stored on a school or arts centre premises.

4.5 Sexual Contact with Children and Young People and Abuse of Trust

Any sexual behaviour, whether homosexual or heterosexual, by a teacher, volunteer or trustee with or towards a child or young person under the age of 19 is illegal. Children and 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 regardless of whether there is consent or not. All adults working for NMPAT who have contact with pupils are in a position of trust.

Sexual behaviour includes non-contact activities, such as causing a child or young person to engage in or watch sexual activity or the production of indecent images of children. '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'.

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 or young person, and manipulate that relationship so that sexual abuse can take place. Staff and volunteers should be aware that conferring special attention without good reason or favouring a pupil has the potential to be construed as being part of a 'grooming' process, which is a criminal offence.

A relationship between a member of staff, a volunteer or a trustee and a pupil cannot be a relationship between equals. There is potential for exploitation and harm of pupils and all adults have a responsibility to ensure that the unequal balance of power is not used for personal advantage or gratification. It is important to recognise that women as well as men may abuse a position of trust.

4.6 Infatuations and Crushes

Adults must recognise that a pupil may be strongly attracted to a member of staff or volunteer and/or develop a heterosexual or homosexual infatuation. A member of staff or volunteer, who becomes aware that a pupil may be infatuated with him/herself or a colleague, must report this without delay to a senior colleague so that appropriate action can be taken. The situation will be taken seriously and the adult should be careful to ensure that no encouragement of any kind is given to the pupil. It should also be recognised that careless and insensitive reactions may provoke false accusations. Whilst the risk of infatuation is not limited to younger members of

staff, newly qualified teachers must recognise their particular vulnerability to adolescent infatuation.

Examples of situations that must be reported are given below:

- Where a member of staff or volunteer is concerned that he or she might be developing a relationship with a pupil which could have the potential to represent an abuse of trust
- Where a member of staff or volunteer is concerned that a pupil is becoming attracted to him or her or that there is a developing attachment or dependency
- Where a member of staff or volunteer is concerned that actions or words have been misunderstood or misconstrued by a pupil such that others might wrongly suspect an abuse of trust
- Where a member of staff or volunteer is concerned about the apparent development of a relationship by another member of staff or volunteer, or receives information about such a relationship

4.7 Gifts

It is against the law for public servants to take bribes. Although Trust staff are now employed by a charity rather than Local Government, the principle remains the same and they need to take care that they do not accept any gift that might be construed by others as a bribe, or lead the giver to expect preferential treatment. There are occasions when pupils or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

Personal gifts must not be given to pupils. This could be misinterpreted as a gesture either to bribe, or single out the young person. It might be perceived that a 'favour' of some kind is expected in return. Any reward given to a pupil should be consistent with the school's behaviour policy, recorded, and not based on favouritism.

Staff must not use their position to make any financial gain from the sale of instruments or accessories by way of commission from a third party. Any advice given to parents and students must be transparent and impartial.

4.8 Use of technology - Social Contact and Social Networking

Trust staff and volunteers should not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship. This includes social networking sites such as MySpace and Facebook and blogging. If a pupil seeks to establish social contact, or if this occurs coincidentally, the member of staff should not engage in any personal communication with current students outside of authorised NMPAT systems.

Communication with students, where necessary, should always be made through parents/guardians. Staff and volunteers must not give their personal details such as home/mobile phone number or home or e-mail address to students. If contact by a student is

made in an ICT format staff should be very aware that a direct response is likely to lead to a release of personal details.

The use of mobile phones during lesson times can be misconstrued by schools, students and parents. They should therefore either be switched off or in silent mode during tuition periods.

All communication between staff/helpers and students, by whatever method, must be transparent and open to scrutiny, and take place within clear and explicit professional boundaries.

All data relating to children and schools must be kept secure at all times, especially if it is kept away from the NMPAT's main office. It is inadvisable to store important information on memory sticks.

4.9 Internet Use and Electronic Communication

Under no circumstances should adults in schools or arts centres access inappropriate images on the Internet. Deliberately accessing pornography on NMPAT or school equipment will be treated as gross misconduct and may be a criminal offence. Accessing indecent images of children on the internet, and making, storing or disseminating such material, is illegal and is likely lead to criminal prosecution and may result in barring from work with children and young people.

Technology potentially provides access and ability to purvey a range of what is deemed "inappropriate material". NMPAT staff and helpers must not access or store; anything to do with hate / harm / harassment including the threatening of individuals or incitement to hatred on the basis of religion, race, sexual orientation. This includes what is termed cyber bullying and the posting of offensive or insulting comments about colleagues or your employment.

4.10 Personal Social Networking

Personal profiles on social networking sites or blogs must not offer any criticism of NMPAT.

Social networking outside of work hours, on non school-issue equipment is the personal choice of all staff. However, owing to the public nature of such websites, staff and helpers must consider the implications of participation and be cautious in use of such applications. Staff must not post material which damages the reputation of NMPAT or which causes concern about their suitability to work with children and young people. Those who post material, which could be considered as inappropriate, could render themselves vulnerable to criticism or allegations of misconduct. Staff are strongly advised to ensure that all possible privacy settings are activated to prevent students from making contact on personal profiles and beware of fake cyber invitations from students and others wishing to become "friends" by means of a false name. Similarly privacy settings should also be in place to prevent students from accessing photo albums or other personal information.

Trust staff and volunteers should not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship.

4.11 Photography, Videos and other Creative Arts

NMPAT activities do from time to time involve recording images. These may be undertaken as part of the curriculum, extra curricular activities, for publicity, or to celebrate achievement. The Data Protection Act 1998 affects the use of photography. An image of a child is personal data and it is, therefore, a requirement under the Act that consent is obtained from the parent of a child for any images made such as those used for web sites, productions or other purposes. This has implications for and includes any requests from parents/families to video/photograph a performance.

Staff should remain sensitive to any pupil who appears uncomfortable and should recognise the potential for misinterpretation. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken.

Using images of pupils for publicity purposes will require the age-appropriate consent of the individual concerned and their legal guardians. Images must 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 have access.

When using a photograph the following guidance must be followed:

- If the photograph is used, avoid naming the pupil
- Images must be securely stored and used only by those authorised to do so.
- Images must not be stored on personal equipment beyond the time they are needed for educational purposes.
- Be clear about the purpose of the activity and about what will happen to the photographs when the activity is concluded
- Ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose
- Ensure that all images are available for scrutiny in order to screen for acceptability
- Be able to justify the images made
- Do not take, display or distribute images of pupils unless there is consent to do so
- Images should never show young people in compromising situations or inappropriate clothing (e.g. gym kit, swimming costumes)
- Be cautious when making images in one to one situations

4.12 Physical Contact and Personal Privacy

All pupils have a right to be treated with respect and dignity. Corporal punishment is unlawful in all teaching environments. Staff and volunteers must not use any form of degrading treatment to punish a pupil. The use of sarcasm, demeaning or insensitive comments towards pupils is not

acceptable in any situation neither is shouting aggressively, hectoring, or deliberately intimidating pupils by overwhelming physical presence.

Staff may legitimately intervene to prevent a pupil from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Staff should have regard to the health and safety of themselves and others. Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence.

Although staff should normally avoid physical contact with students there are occasions when it is entirely appropriate and proper for staff to have physical contact with pupils, but it is crucial that they only do so in ways appropriate to their professional role. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one pupil in one set of circumstances may be inappropriate in another, or with a different pupil.

Music teachers may on occasions initiate physical contact with pupils in order to support a pupil so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This must be done with the pupil's prior agreement, for the minimum time necessary to complete the activity and in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil.

Physical contact should never be secretive or casual, or for the gratification of the adult, or represent a misuse of authority. If a member of staff or volunteer believes that an action could be misinterpreted, the incident and circumstances should be reported.

In some instances, where employees are in loco parentis, they may have a pastoral responsibility for pupils and in order to fulfill that role effectively there may be occasions where conversations will cover particularly sensitive matters. Employees must in these circumstances use their discretion to ensure that, for example, any questioning cannot be construed as unjustified intrusion.

Pupils may also appear distressed and staff may feel the need to ask if all is well. In such cases, staff must judge whether it is appropriate for them to offer counseling and advice or whether to refer the pupil to a more senior member of staff in the context they are in (i.e. on a course/tour).

There may be occasions when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation.

Pupils are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order 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 pupils concerned and sensitive to the potential for embarrassment.

4.13 One to One Situations and Meetings with Pupils

Any staff or volunteers working in one to one situations with pupils are vulnerable to allegations. They should therefore take account of this possibility, plan and conduct such meetings/teaching situations accordingly. Every attempt should be made to ensure that the safety and security needs of both staff and pupils are met and risk-assessments completed. It is advisable to avoid remote or secluded areas of a building and to ensure that the door of the room is left open and/or visual/auditory contact with others is maintained. Arrangements should be reviewed on a regular basis and where issues arise, should be discussed with senior colleagues.

Pre-arranged meetings with pupils away from any school or arts centre premises, or on a school site when it is not in session are not permitted unless approval is obtained from the child's parent/guardian and the Chief Executive; or other senior colleague with delegated authority.

Staff are advised that they should only teach when other staff are on site, and teaching should be conducted in a room with visual access or with the door open, or if that is impossible, in a room or area which is likely to be frequented by other people.

Staff are strongly advised to avoid teaching in their own homes; teaching should normally take place on a school premises or at the Kettering Road Music and Arts Centre.

If staff decide to teach at home they must inform their line manager. They should complete a risk assessment for their home/teaching area and submit it to the office. They should ensure that their home is insured for business use.

4.14 Teaching rooms

Teaching accommodation for instrumental/vocal tuition is sometimes limited in schools. Teachers should not however accept totally inappropriate working conditions (e.g. rooms with no ventilation/window). If in doubt contact the Line Manager.

4.15 Sickness

If a pupil appears unwell during a lesson immediately make arrangements for that child to go to the school's medical room (often the school office) and ensure the pupil is accompanied. Never leave students without supervision.

4.16 Transporting Pupils

On rare occasions staff or volunteers may agree to /find themselves in a situation of having to transport pupils. Such arrangements should normally be made in advance by a designated member of staff and with parents/guardians written permission and with the knowledge of NMPAT's management. However, transport should normally be provided other than in private vehicles, with at least one adult additional to the driver acting as an escort.

Adults should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They must ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded.

4.17 Educational Visits, Residential Courses and Tours.

Staff and volunteers should take particular care when supervising pupils in the less formal atmosphere of an educational visit, particularly in a residential setting, or after-school activity. Staff and volunteers remain in a position of trust and the same standards of conduct apply.

4.18 Curriculum

Teachers should have clearly recorded lesson plans and should:

- Take care when encouraging pupils to use self-expression, not to overstep professional boundaries
- Be able to justify all curriculum materials and relate these to clearly identified lesson plans

4.19 Sharing Concerns and Recording Incidents

All staff and volunteers must be vigilant and share concerns and report incidents. Whistle blowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. The following "Red Flag Behaviours" give indications of the kinds of situations that must be shared with a senior member of staff.

An adult who:

- Allows a pupil/young person to be treated badly; pretends not to know it is happening
- Gossips/shares information inappropriately
- Demonstrates inappropriate discriminatory behaviour and/or uses inappropriate language
- Dresses in a way which is inappropriate for the job role
- Does not treat pupils fairly - demonstrates favouritism
- Demonstrates a lack of understanding about personal and professional boundaries
- Uses his/her position of trust to intimidate, threaten, coerce or undermine
- Appears to have an inappropriate social relationship with a pupil or pupils
- Appears to have special or different relationships with a pupil or pupils
- Seems to seek out unnecessary opportunities to be alone with a pupil

4.20 Extreme Behaviour management

if a “critical incident” takes place during a Trust activity (a gross breach of accepted behaviour e.g. bullying, the possession of illegal substances, damage to property, disruption of a rehearsal, the possession of an offensive weapon etc), then the responsible member of staff will -

- make a judgement as to the severity of the incident
- create a record (times, dates and comments) and where necessary collect any evidence including any witnesses and the student(s) concerned
- consult with their line-manager for advice and support (usually the centre head or a member of the senior management team)
- if the matter is deemed severe, to then contact the student(s) parents to discuss the incident and to agree a strategy taking the issue forward

Only in extreme cases would a student be excluded more than temporarily from activities and certainly not without consulting parents first. However, it should be understood that the Trust reserves the right to action such a procedure in order to protect its reputation and the rights of its membership as whole.

5 E-Safety

5.1 Acceptable Use Policy and Rules for Staff

The following policy applies to all staff, volunteers and trustees:

All staff and volunteers:

- MUST take responsibility for their own use of technologies and the Internet, making sure that they are used legally, safely and responsibly.
- MUST report any e-Safety incident, concern or misuse of technology to the Line Manager or Chief Executive, including the unacceptable behaviour of other members of the NMPAT community.
- SHOULD use NMPAT ICT systems and resources for NMPAT related business and communications where possible, particularly those involving sensitive pupil data or images of students.
- MUST ensure that all electronic communication with pupils, parents, carers, employees and others is compatible with their professional role and in line with NMPAT protocols.
- MUST not post online any text, image, sound or video which could upset or offend or be incompatible with their professional role. Individuals working with children and young people must understand that behaviour in their personal lives may impact upon their work with those children and young people if shared online or via social networking sites.

- MUST protect their passwords/personal logins and log-off the network wherever possible when leaving workstations unattended.
- SHOULD understand that network activity and online communications on NMPAT equipment (both within and outside of the NMPAT environment) may be monitored, including any personal use of the NMPAT network.
- SHOULD understand that employees, who ignore security advice or use email or the Internet for inappropriate reasons, risk dismissal and possible police involvement if appropriate.
- SHOULD ensure that virus protection is kept up to date on personal equipment to avoid the transfer of malicious code to NMPAT equipment.
- SHOULD understand the necessity to follow the provisions of the Data Protection Act 1988 and check what this involves.
- SHOULD understand the necessity of adhering to copyright and intellectual property rights

5.2 Inappropriate Use

If an employee is believed to have misused the Internet or NMPAT network in an illegal, inappropriate or abusive manner, a report must be made to the Chief Executive immediately.

In the event of inappropriate use, internal investigations will be initiated in accordance with the staff disciplinary procedures.

Examples of inappropriate use:

- Accepting or requesting pupils as 'friends' on social networking sites, or exchanging personal email addresses or mobile phone numbers with students for the purposes of social contact
- Behaving in a manner online which would lead any reasonable person to question an individual's suitability to work with children or act as a role model
- Direct communication with pupils which is neither necessary nor professional

Acceptable Use Rules

- I will take responsibility for my own use of technologies and the internet, making sure that they are used legally, safely and responsibly.
- I will make schools aware where I am holding information in a digital format about pupils for teaching and learning purposes.
- I will abide by the provisions of schools' e-Safety policies.

- I will report any e-Safety incident, concern or misuse of technology to the e- Safety leader or Chief Executive, including the unacceptable behaviour of other members of the NMPAT community.
- I will use NMPAT ICT systems and resources for NMPAT related business and communications where possible, particularly those involving sensitive pupil data or images of students.
- I will ensure that all electronic communication with pupils, parents, carers, employees and others is compatible with my professional role and in line with NMPAT protocols.
- I will not post online any text, image, sound or video which could upset or offend or be incompatible with my professional role.
- I will protect my passwords/personal logins and log-off the network wherever possible when leaving work stations unattended.
- I understand that network activity and online communications on NMPAT equipment (both within and outside of the NMPAT environment) may be monitored, including any personal use of the NMPAT network.
- I understand that employees, who ignore security advice or use email or the internet for inappropriate reasons, risk dismissal and possible police involvement if appropriate.
- I understand that examples of inappropriate use are:
 - accepting or requesting pupils as 'friends' on social networking sites, or exchanging personal email addresses or mobile phone numbers with students.
 - Behaving in a manner online which would lead any reasonable person to question an individual's suitability to work with children or act as a role model.
- I know that images should not be inappropriate or reveal any personal information about children and young people if uploading to the internet.
- I know that I should complete virus checks on my laptop and memory stick or other devices so that I do not inadvertently transfer viruses, especially where I have downloaded resources.
- I will ensure that I follow the Data Protection Act 1998 and have checked I know what this involves.
- I will adhere to copyright and intellectual property rights.
- I know that NMPAT may monitor network activity and on-line communications.

- I have been given access to a copy of the e-Safety Policy to refer to about all e-safety issues and procedures that I should follow.