

Staff Code of Conduct (8.9 and 6.9)

1. Keeping Children Safe in Education (2016) requires schools to produce a code of conduct for all staff. As guardianship organisations work with students in a similar way to schools, AEGIS requires members to produce their own code of conduct for all staff.

2. Purpose

2.1. The purpose of this code of professional conduct sets out the elements of professional standards and ethical considerations, which BOSSS UK requires its staff (whether directly employed or self-employed for example Homestays) to adhere to.

3. Principles

3.1. The principles underlying the guidance aim to encourage staff to achieve the highest possible standards of conduct and minimise the risk of inappropriate conduct occurring. All staff are expected to:

3.1.1. Demonstrate the highest possible standards of personal and professional conduct and behaviour and consistently act with honesty and integrity.

3.1.2. Treat each other, pupils/students, parents and the wider community with dignity and respect at all times.

3.1.3. Act in accordance with their duty of care to pupils and ensure that the safety and welfare of pupils are accorded the highest priority.

3.1.4. Show fairness in their treatment of children and avoid behaviours such as embarrassing or humiliating pupils/students, making jokes at the expense of pupils/students, discriminating against or favouring pupils/students and sarcasm.

3.1.5. Demonstrate sensitivity for the customs, practices, culture and personal beliefs of others

3.1.6. Have regard for the ethos and values of BOSSS UK and must not do or say anything, which may bring the guardianship organisation into disrepute.

3.1.7. Care should be taken by staff to avoid any conflict of interest between activities undertaken outside school and responsibilities within BOSSS UK.

3.1.8. Staff should act in accordance with BOSSS UK's policies and procedures at all times.

4. Power and positions of trust

4.1. To promote an environment of trust, openness and clear communication between students, school and staff and our Host Families, so that student welfare, safety and pastoral care is recognised as the top priority

4.2. Members of staff are in a position of power and trust and must be cognisant of this and not abuse the trust or breach any of BOSSS UK's policy or procedure.

5. Duty of care to children and young people

- 5.1. Staff have a duty of care to our students. In the event of any safeguarding concerns all staff have a duty of care to discuss and resolve any issues with the DSL or their deputy, in consultation if necessary with Safeguarding Associates For Excellence (SAFE), Children's Services, MASH or other external agency as appropriate.

6. Exercising professional judgement

- 6.1. Staff must exercise their profession judgement and act with integrity and courage and must deal with any concern or follow up of a disclosure or suspicion of any safeguarding issues immediately with the DSL or their deputy.

7. Use of appropriate language

- 7.1. Staff should always act in a polite, courteous and professional manner and use language appropriate according to their audience including all students, other members of staff and homestays, schools and parents.
- 7.2. Staff should not use inappropriate language in front of any students or any other members of staff.
- 7.3. Inappropriate language could be socially offensive language, which may also be called bad language, strong language, offensive language, crude language, coarse language, foul language, bad words, blasphemous language, vulgar language, lewd language, choice words or expletives. The use of such language is called swearing, cursing or cussing.

8. Sexual contact with young people

- 8.1. Staff are not permitted to have sexual relations with students and act in an appropriate manner in front of young people.
- 8.2. The age of consent (the legal age to have sex) in the UK is 16 years old.
- 8.3. The laws are there to protect children. They are not there to prosecute under-16s who have mutually consenting sexual activity but will be used if there is abuse or exploitation involved.
- 8.4. To help protect younger children the law says anyone under the age of 13 can never legally give consent. This means that anyone engaging in sexual activity with a child who is 12 or younger will be subject to penalties set out under the Sexual Offences Act 2003.
- 8.5. The law also gives extra protection to young people who are 16 to 17 years old. It is illegal to:
 - 8.5.1. Take, show or distribute indecent photographs
 - 8.5.2. Pay for or arrange sexual services
 - 8.5.3. For a person in a position of trust (for example, teachers, care workers) to engage in sexual activity with anyone under the age of 18.

9. Communication with students

- 9.1. Finding a way to communicate with your students is more than half the battle of getting

them to listen and learn. You can have a lifetime of experience and knowledge, but it will not make a difference to kids unless you can effectively interact with them.

- 9.2. Face to Face - Face-to-face communication is important to people of all ages, but especially true of children and teens. When you make eye contact, you are signaling that you think they are very important and deserving of your attention.
- 9.3. Youth Talk - If you work with students, then you are probably familiar with many youth expression and slang. While you don't necessarily have to converse in this language, allow your students to do so as long as the language is appropriate.
- 9.4. On Their Level - Assume a posture of informality instead of standing over students, which may make them feel intimidated and less likely to be forthcoming in a discussion.
- 9.5. Don't Interrupt - If a student is trying to tell you something that may be difficult or painful, give him time to relay his feelings. If you try to finish his sentence or interject your opinion before it's asked for, you may never find out what was really on his mind.
- 9.6. No Judging - If a student is confiding in you about a personal situation or just giving his opinion in a classroom discussion, don't condemn him or his words because you disagree. Show him that part of communication is showing respect for the thoughts of others.

10. Social contact with students

- 10.1. Social media has made it possible to connect with anyone. There are both pros and cons to this type of interaction. Teens rely heavily on social media for communication, which could be seen as an opportunity to engage and motivate students. However, social media can potentially provide staff and students direct, unsupervised contact beyond the normal level contact, which poses risks and could lead to misconduct.
- 10.2. Staff should not socialise with students in an inappropriate manner and be cognisant of UK Laws such as age restrictions relating to Public Houses, drinking alcohol and smoking.

11. Social contact with parents / agents / staff at partner schools

- 11.1. Social media has made it possible to connect with anyone. There are both pros and cons to this type of interaction. Social media use between staff, agents, parents and partner schools should be appropriate.
- 11.2. Staff are asked to exercise their professional judgement on this and behave in an appropriate manner.

12. Physical contact including restraint

- 12.1. Staff should be cognisant of that children may respond to touch in different ways. We cannot assume that a child will understand a touch that is intended as a friendly gesture. Children in our care may have backgrounds where there has been inappropriate physical contact or even abuse. These children will be confused about adult-child contact and may experience it as intrusive. This can have consequences for the child and for any staff member where a touch, meant as a caring gesture, is reported as inappropriate.
- 12.2. Staff should be role models as children learn to understand the appropriateness of physical contact in different situations.

- 12.3. It is often appropriate for children to be given some physical contact and comfort, but this must always be offered with the following caution:
- 12.4. Ensure there are other adults around and staff should be prepared to be accountable to them
- 12.5. Do not show favour to individual children.
- 12.6. The area between a child's waist and mid-thigh or near the chest should not be touched in normal circumstances
- 12.7. Where a child tries to become physically closer than appropriate, it is important they do not feel rejected, but are gently guided to a more appropriate behaviour by a positive suggestion.
- 12.8. Cuddles should be short and side by side.
- 12.9. Never kiss a child, and do not encourage children to kiss adults other than their parents.
- 12.10. A school-age child should only sit on an adult's knee for a short time and for a specific reason such as following an injury, and not too close to the body.
- 12.11. Where children require help with changing or toileting, the dignity of the child must be respected. Great care must be taken to ensure that all physical contact is specifically and only for the purpose of the operation being carried out.
- 12.12. Wherever a member of staff feels uncomfortable about the way in which a child or staff member is using or abusing physical contact, even if this concern is small or uncertain, this must be immediately discussed with a member of the safeguarding team
- 12.13. Physical contact can keep children safe. Staff have a 'duty of care' to all pupils and must act if pupil is becoming a danger to himself or others- in rare, exceptional cases, this may involve restraining a child. Physical Restraint is defined as the "positive application of force with the intention of overpowering the child".
- 12.14. **Restraint** is always a last resort. The first line of approach is verbal, using a variety of techniques, according to the development of the child, to deescalate, distract and instruct.
- 12.15. Where these approaches are unsuccessful, there may be the need to intervene physically to prevent someone putting themselves or others in danger. For example a child running into the road or a child about to hurt someone else
- 12.16. The intervention must use minimal, proportionate force: only enough to stop the incident and for the minimal possible time. The child must first be made aware of what is going to happen if the situation does not stop and explanations should continue during the restraint. Examples could be:
 - 12.16.1. Blocking a pupil's path from stepping into a road
 - 12.16.2. Holding, pushing or pulling away from assaulting another pupil
 - 12.16.3. Leading by the arm away from a dangerous situation

12.16.4. Guiding pupil away from danger with your hand in centre of the back

12.17. **Restraint and the law.** Legislation that came into force in September 1998 (section 550 of the Education Act 1996) together with national guidance (DfEE Circular 10/98) establishes the powers of staff to use reasonable force in order to prevent children they are responsible for committing a crime, causing injury or damage, or causing disruption.

12.18. If at all possible, a second adult should be called. This is to serve 2 functions:

12.19. A second adult may be able to reduce risk.

12.20. Another adult may serve as witness.

12.21. Staff must avoid any threat or act of punitive violence.

12.22. Staff are reminded that violent behaviour is a criminal act. In the unlikely event that a child is out of control and needs restraining physically, or where a child is not obeying a lawful instruction, the police may be called

12.23. Restraining a child must be an extremely rare, unavoidable, exceptional circumstance, and reported fully in writing to the DSL or their deputy at the first opportunity (certainly on the same day).

12.24. It is advisable and best practice to inform the parents of any child who has been restrained, before the child returns home.

12.25. The GO will ensure that all staff are familiar with the policy on physical restraint and will ensure all staff act within it.

12.26. All homestays must be aware that they may only use reasonable, appropriate and lawful means of control and contact with students so as to provide comfort if in distress and to maintain safety and good order in the home. If there is any form of physical restraint then the homestay must contact the GO immediately to explain the circumstances to the DSL or their deputy.

13. An outright ban on any corporal punishment

13.1. Corporal punishment refers to causing deliberate pain or discomfort in response to undesired behaviour by student. It often involves striking the student either across the buttocks or on the hands, with an implement such as a rattan cane, wooden paddle, slipper, leather strap or wooden yardstick. Less commonly, it could also include spanking or smacking the student with the open hand, especially at the elementary school level.

13.2. In state-run schools, and in private schools where at least part of the funding came from government, corporal punishment was outlawed by the British Parliament in 1986. In other private schools, it was banned in 1998 (England and Wales), 2000 (Scotland) and 2003 (Northern Ireland).

13.3. All forms of corporal punishment are banned and no member of staff, agent, school or homestay is permitted to inflict corporal punishment on a student.

14. Care of distressed students

- 14.1. Staff are in a position to recognize behaviour changes that characterise the emotionally troubled student. A student's behaviour, especially if it is inconsistent with your previous observations, could well constitute a "cry for help."
- 14.2. Certain signals that distressed students give out may go unnoticed for a variety of reasons. And even when we do notice them, it can be very difficult to intervene. We may feel we are "in over our heads," or we may have competing concerns, such as other students waiting to see us. It is important to know that it is quite likely that the problem will not go away unless there is an intervention. Part of a good intervention requires knowing how to act during these incidents and what resources to call upon.
- 14.3. Anxiety is a normal response to a perceived danger or threat to one's well-being or self-esteem. For some students, the cause of their anxiety will be clear; such as their worries about the current world events. But for others it may be difficult to determine.
- 14.4. Regardless of the cause, one or more of the following symptoms may be experienced: rapid heartbeat, chest pain or discomfort, dizziness, sweating, trembling or shaking, and cold clammy hands. The student may also complain of difficulty concentrating, always being "on edge," having difficulty making decisions, sleeping problems or being too fearful to take action.
- 14.5. In rare cases, a student may experience a panic attack in which physical symptoms occur spontaneously and intensely in such a way that the student may fear he or she is dying. The following guidelines are appropriate in most cases.
- 14.6. It is helpful to:**
- 14.7. Let them discuss their feelings and thoughts. Often, this alone relieves some of the pressure.
- 14.8. Provide reassurance.
- 14.9. Talk slowly and remain calm.
- 14.10. Be clear and directive.
- 14.11. Provide a safe, quiet environment until symptoms subside.
- 14.12. It is not helpful to:**
- 14.13. Minimize the perceived threat to which the student is reacting.
- 14.14. Take responsibility for their emotional state.
- 14.15. Overwhelm them with information or ideas to "fix" their condition.
- 14.16. Become anxious or overwhelmed.
- 14.17. **Encourage the student to seek professional help** if the anxiety is interfering with their normal routine such as they are unable to study, sleep or relationships have been affected. When you discuss a referral to Counselling and via the GP or school, it is helpful for that student to hear in a clear and concise manner, your concerns and why you think counselling would be helpful to get help with their anxiety and to learn strategies to cope.

15. One-to-one meetings

- 15.1. All meetings especially one to one meetings should be documented in the communications log.
- 15.2. This includes when (date) and notes on the discussion, who was present.

16. Students' entitlement to privacy

- 16.1. The European Convention on Human Rights (ECHR) has been implemented into domestic law by the Human Rights Act 1998 (HRA). Article 8 of the ECHR provides that "Everyone has the right to respect for his private and family life, his home and his correspondence." Article 10 protects the right to freedom of expression, including the right to hold opinions and receive and impart information.
- 16.2. Staff must be cognisant of students' entitlement to privacy however, in the event of a safeguarding concern whereby the staff member is protecting the child this must be reported to the DSL or their deputy.
- 16.3. Our obligations under the European Convention on Human Rights (ECHR).
- 16.4. Under article 8 of the European Convention on Human Rights pupils have a right to respect for their private life. In the context of these particular powers, this means that pupils have the right to expect a reasonable level of personal privacy.
- 16.5. The right under Article 8 is not absolute, it can be interfered with but any interference with this right must be justified and proportionate.
- 16.6. The powers to search in the Education Act 1996 are compatible with Article 8. Exercising those powers lawfully should have no difficulty in demonstrating that it has also acted in accordance with Article 8. This advice will assist us in deciding how to exercise the searching powers in a lawful way.

17. Transporting students

- 17.1. Staff transporting students must have the appropriate DBS check and motor insurance in place.
- 17.2. Staff transporting students must drive safely and abide by the Highway Code and UK laws according to the Road Traffic Act 1988.

18. Gifts and rewards

- 18.1. Employees must not accept gifts or hospitality that could give rise to a suspicion that they have a conflict of interest or have been influenced in a decision.

19. Use of photographs and videos

- 19.1. Staff should ensure that only photography, videos or images of students are taken with their parent's consent and that these are published where such consent has been obtained. Images should be securely stored and used only by those authorised to do so. This means staff members who are present on school premises for the purpose of a student visit or parents evening, the parent/student has not objected to images being taken and the

images are taken in relation to the purpose of the visit. Under no circumstances should staff take images of students without consent or without the students knowing that the images are being taken. Staff should always be able to justify images of pupils in their possession and avoid making images in one to one situations.

20. Searching students and their belongings

- 20.1. Staff can search a pupil for any item if the pupil agrees.
- 20.2. Staff authorised by them have a statutory power to search pupils or their possessions, without consent, where they have reasonable grounds for suspecting that the pupil may have a prohibited item. Prohibited items are:
 - 20.2.1. Knives or weapons
 - 20.2.2. Alcohol
 - 20.2.3. Illegal drugs
 - 20.2.4. Stolen items
 - 20.2.5. Tobacco and cigarette papers
 - 20.2.6. Fireworks
 - 20.2.7. Pornographic images
 - 20.2.8. Any article that the member of staff reasonably suspects has been, or is likely to be, used:
 - 20.2.9. To commit an offence, or
 - 20.2.10. To cause personal injury to, or damage to the property of, any person (including the pupil).
 - 20.2.11. Confiscation, staff can seize any prohibited item found as a result of a search. They can also seize any item, they consider harmful or detrimental to the students discipline.