

A CODE OF CONDUCT FOR EMPLOYEES WHOSE WORK BRINGS THEM INTO CONTACT WITH YOUNG PEOPLE

(FROM DISCIPLINARY AND DISMISSAL POLICY AND PROCEDURES)

INTRODUCTION

City College Brighton and Hove holds as one of its highest priorities the health, safety and welfare of all children and young people involved in courses or activities which come under the responsibility of the College.

This code of conduct is intended to help staff minimise the risk of being accused of improper conduct towards the young people with whom they come into contact during their work.

It is the responsibility of all staff to read this code and speak to their Head /Principal/Head of Professional Development & HRM if they suspect child abuse by a person outside or inside the Corporation.

It is important to recognise that child abuse may be physical, sexual or psychological and that it has been increasingly detected and brought to the attention of the general public in recent years.

Whilst many child abusers are known to the victim either as relatives or friends of the family, some meet children in other contexts and a small minority of these may gain access to children in College as lecturers or support staff or through their voluntary involvement in College activities.

Students should not feel inhibited from reporting any abuse against them by staff. This will include not only serious abuse but also any incident where a student has grounds to believe that a member of staff has crossed the boundary of acceptable behaviour. The Principal working with the Corporation will continue to do all he/she can to ensure that the environment within the Corporation encourages truthful reports of any inappropriate behaviour.

The College has a separate policy entitled Child and Young Persons Protection Policy and a policy covering Protection of Vulnerable Adults.

1. Guidelines for employees

1.1 Private meetings with students

- a) Employees should be aware of the dangers which may arise from private interviews with individual students. It is recognised that there will be occasions when confidential interviews must take place, but, where possible, such interviews should be conducted in a room with visual access, or with the door open, or in a room or area which is likely to be frequented by other people.
- b) Lecturers meeting students away from the Corporation premises should exercise caution and consider whether it is professionally correct. Specific problems should be discussed with the Head or Curriculum Manager of the Curriculum Area.

- c) Where such conditions cannot apply, employees are advised to ensure that another adult knows that the interview is taking place. The use of "engaged" signs or light is not advisable.
- d) Where possible, another student or another adult should be present or nearby during the interview.

1.2 Caring for Students with Particular Problems

- a) Employees who have to administer first aid should ensure wherever possible that other students or another adult are present if they are in any doubt as to whether necessary physical contact could be misconstrued.
- b) If a situation arises where employees have to help students with toileting difficulties, they should be accompanied by another adult or student of the same sex as the student requiring assistance. It is accepted that there will be some situations where students will present particular problems for employees and the emphasis will be on what is reasonable in all the circumstances.

1.3 Reporting Incidents

Following any incident where an employee feels that his/her actions have been, or may be, misconstrued, he/she should discuss the matter with his/her Head. Where it is agreed with the Principal the employee should provide a written report of the incident. It is especially important to speak with the Principal in cases where an employee has been obliged to restrain a student physically and where a complaint has been made by a student, parent or other adult or in cases where an employee is being accused of inappropriate sexual conduct by a student or young person.

1.4 Where physical contact may be acceptable

- a) There may be occasions where a distressed student needs comfort and reassurance which may include physical comforting such as a caring adult would give. Employees should use their discretion in such cases to ensure that what is, and what is seen to be by others present, normal and natural does not become unnecessary and unjustified contact, particularly with the same pupil over a period of time. Where an employee has a particular concern about the need to provide this type of care and reassurance, he/she should seek the advice of the Head of the area.
- b) Some employees are likely to come into physical contact with students from time to time in the course of their duties. Examples include:- showing a student how to use a piece of apparatus or equipment; demonstrating a move or exercise during lectures and contact activities at a youth club. Employees should be aware of the limits within which such contact should properly take place and of the possibility of such contact being misinterpreted.
- c) There may be occasions where it is necessary for employees to restrain a student physically to prevent him/her from inflicting injury to others or self-injury. In such cases only the minimum force necessary may be used and any action taken must be to restrain the student. Where an employee has taken action to restrain a student, he/she should discuss the matter as advised in paragraph 1.3 above.

1.5 Gratuitous physical contact with students

- a) Physical contact may be misconstrued by a student, parent or observer, such contact can include well intentioned informal and formal gestures such as putting a hand on the shoulder or arm, which if repeated with an individual student could lead to serious questions being raised. Therefore as a general principle, employees must not make gratuitous physical contact with their students and it is unwise to attribute touching to their teaching style or as a way of relating to students.
- b) **Any form of physical punishment of students is unlawful as is any form of physical response to misbehaviour unless it is by way of restraint. It is particularly important that employees understand this both to protect their own position and the overall reputation of the College.**

1.6 Where conversations of a sensitive nature may be appropriate

- a) Many employees have a pastoral responsibility for students and in order to fulfil that role effectively there will be occasions where conversations will cover particularly sensitive matters. Employees must in these circumstances use their discretion to ensure that, for example, any probing for details cannot be construed as unjustified intrusion.
- b) Other employees in the Corporation may from time to time be approached by students for advice. Students may also appear distressed and employees may feel the need to ask if all is well. In such cases employees must judge whether it is appropriate for them to offer counselling and advice or whether to refer the student to the College Counsellor with acknowledged pastoral responsibility.

1.7 Inappropriate comments and discussions with students

- a) As with physical contact, comments by employees to students either individually or in groups can be misconstrued. As a general principle therefore employees must not make unnecessary comments to and/or about students which could be construed to have a sexual connotation. It is also unacceptable for employees to introduce or to encourage debate amongst students in class, or elsewhere, which could be construed as having a sexual connotation that is unnecessary given the context of the lesson, or the circumstances. At the same time it is recognised that a topic raised by a student is best addressed rather than ignored.
- b) Systematic use of insensitive, disparaging or sarcastic comments is also unacceptable.

1.8 Choice and use of teaching materials

When using teaching materials of a particularly sensitive nature an employee should be aware of the danger that their selection could be misinterpreted and may be criticised after the event.

ALL STAFF SHOULD BE AWARE OF THE COLLEGE'S COMMITMENT TO EQUAL OPPORTUNITIES.

1.9 General relationships and attitudes

Staff should ensure that their relationships with students are appropriate to the age and gender of the students, taking care that their conduct does not give rise to comment or speculation. Attitudes, demeanour and language all require care and thought, particularly when employees of either sex are dealing with students of all ages and different cultures.

1.10 Educational visits and extra-curricular activities

Staff should be particularly careful when supervising students in a residential setting such as industrial visits, or extended visits away from home. Similarly the less formal away from home visits approach adopted in extra curricular activities generally can be open to misinterpretation. Although more informal relationships in such circumstances tend to be usual, the standard of behaviour expected of employees will be no different from the behaviour expected within the College.

2. Steps to be taken when allegations are made against an employee

- a) Staff working for the Corporation are particularly vulnerable both to the possible consequences of their close relationships with students and to malicious or misplaced allegations made by students deliberately or innocently, arising from normal and proper association with them in the College.
- b) For this reason, where a serious allegation is made, the arrangements for making a preliminary assessment of whether there is substance in the allegation, the procedure set out in the Codes of Practice on Suspension of Staff, the Code of Practice on Disciplinary Investigations will also be followed.
- c) Where an allegation is made which, if substantiated, would appear to indicate an offence of gross misconduct (see paragraphs 3.1 and 5.1 of the Disciplinary Rules) the employee will be suspended from duty. Suspension is intended as a neutral act taken as a precautionary measure.
- d) Where suspension takes place a contact will be nominated who is not conducting the investigation to provide information and support to the employee. The person nominated as the contact will discuss with the employee any welfare need she/she may have and will act as a liaison point between the employee and those conducting the investigation.

3. Action to be taken by employees where child abuse is suspected

- a) In the event that any employee suspects that a student is being abused by a member of staff in College or elsewhere, a report should be made in strict confidence to the Principal. The usual child protection policy as outlined in the Child and Young Persons Protection Policy should also be followed. Arrangements for investigating the allegation will be discussed with the Principal. **No investigation shall commence within the College prior to these arrangements being made.**
- b) If the Principal is suspected of improper conduct, the employee concerned should make his/her report directly to the Chairman or Vice-Chairman of the Corporation, as appropriate.
- c) The Principal will follow the guidance given in the Brighton and Hove Area Child Protection Committee's booklet Child Abuse Procedures and any other working arrangements agreed between the agencies involved for handling such cases. The child abuse procedure will apply in cases where the student concerned is 18 years old or under.

4. Conclusion

It would be impossible and inappropriate to lay down hard and fast rules to cover all the circumstances in which staff relate to students and where opportunities for their conduct to be misconstrued might occur.

In all circumstances professional judgement will be exercised. For the vast majority of staff this code of conduct will serve only to confirm what has always been their practice. If staff have any doubts about the advice contained in this document they should consult their Head of the area.

From time to time, however, it is advisable for all staff to reappraise their teaching styles, relationships with students and their manner and approach to individual students, to ensure that they give no grounds for any doubts in the minds of their colleagues, students or parents.