

## **Magdalen College School**

### **Staff Code of Conduct**

All staff should read this code of conduct in conjunction with the school's Safeguarding Policy, and are reminded that the safety and well-being of every pupil at Magdalen College School is of paramount importance; teaching staff should also refer to the "Professional Obligations" section of the Staff Handbook. This policy has been updated to ensure its relevance to all staff, whether teaching or non-teaching.

Our curriculum and pastoral systems are designed to foster the social, cultural, moral and spiritual development of all our pupils. All staff, whether teaching or non-teaching, play a vital role in this process, helping to ensure that all pupils relate well to one another and feel safe and comfortable within the school.

It is hoped that staff will be reassured by this code. It will in the vast majority of cases simply confirm good professional practice. Its purpose is to promote the highest standards of care for young people and to protect staff members from the potentially devastating consequences of false allegations, without compromising bona fide school activities.

Although this code of conduct gives advice and instruction on how to deal with specific situations, it should not replace professional common sense and good judgement. In all matters relating to pupil-staff relationships, all staff must bear in mind how an action might reasonably be regarded by a third party.

We expect all staff to lead by example and to play a full part in promoting an awareness, which is appropriate to their age, amongst all our pupils on issues relating to health, safety and well-being. All staff members have an important role in insisting that all pupils adhere to the standards of behaviour set out in the school's behaviour policy, to the rules as expressed in the Red Diary and in enforcing our anti-bullying policy.

#### **Dignity at Work**

Staff must not engage in any behaviour or conduct which may amount to harassment of another person at work. Harassment of any kind is regarded as a disciplinary offence and in serious instances may lead to instant dismissal.

Harassment may take the form of unwanted conduct which is related to a relevant Protected Characteristic (Age; Disability; Gender Reassignment; Marriage & Civil Partnership; Pregnancy & Maternity; Race; Caste; Religion or belief; Sex; Sexual Orientation) which is perceived as affecting an employee's dignity at work. It may also take the form of unwanted conduct towards someone based on their appearance or other personal characteristics which is perceived as affecting their dignity at work. It is not only unwanted physical contact, assault or propositions; it includes suggestive remarks or gestures, pin-ups, graffiti, offensive comments, jokes and banter. Harassment may include bullying, intimidatory behaviour, persistent teasing or constant unfounded criticism of the performance of work tasks, unfair allocation of work and responsibilities, or exclusion from normal work place conversation. It may be directed towards one individual or a group. A single incident can amount to harassment if sufficiently grave.

## **Dress**

It is important that colleagues set a high standard of dress which acknowledges their status as professionals and ensures they act as role models for pupils. Staff dress should mirror the spirit of the rules for pupils, so that while staff are not expected to follow the same rules a degree of representation is desirable given the need to enforce those rules.

Male teachers are expected to wear a suit or a jacket with smart trousers, buttoned shirt and tie throughout the school day. Female teachers are expected to dress in a similarly professional manner. Examples of inappropriate professional attire include jeans, denim in general, T-shirts, skirts of a notably short length, “strap” tops, flip flops or trainers (except when worn with sports kit or while supervising sport). Colleagues should seek advice from a senior colleague if in doubt as to what is considered acceptable.

During the school day (8.00am – 5.00pm) teachers are expected to conform to this dress code. Sports wear should only be worn for games and PE lessons and sport practices and not for normal classroom teaching or attendance at formal school meetings. Where possible, colleagues must also consider what constitutes appropriate attire for activities which take place out of school (e.g Field Days and school trips) and seek advice from a senior colleague if in any doubt. At all times, colleagues should be aware of the importance of appropriate dress and its role in setting professional boundaries.

When Summer Dress for pupils (no jacket or tie) is declared (by the Master or Usher) teachers are expected to continue to set a high standard of dress. Male teachers should wear formal long or short sleeved shirts with a collar suitable for a tie and formal trousers. Female teachers should wear clothes which maintain formality.

Gowns are worn for:

- Parents' meetings
- School photographs  
New Pupils' Services

Gowns and hoods are worn at:

- Prize giving
- Commemoration Service

## **Interaction with pupils**

- Treat all pupils with respect
- Try, as far as possible, not to be alone with a pupil (where this is not possible e.g. instrumental music lesson/sports coaching lesson, individual tuition, try to ensure that any such meeting is as visible as possible e.g. ensure the door has a glass panel or is left open or ensure that another adult is near/within earshot, and that another staff member knows that the meeting is happening)
- Where possible, a gap or barrier should be maintained between teacher and child at all times.
- Staff should ensure that their supervision of pupils in changing rooms ensures that pupils are given appropriate respect and privacy.

- Staff should avoid taking one pupil in his/her own in a car. Please ask the Usher in advance if you need to transport any pupils in a car.
- Staff should not make arrangements to meet pupils, individually or in groups, outside school other than on authorised school trips
- Staff should not attend private pupil parties and be aware of their professional standing and responsibilities when attending parties arranged by parents at which pupils are also present
- Staff who are parents of pupils, friends with parents of pupils or voluntary workers in youth organisations attended by pupils should still use their professional judgement to respect the spirit of this code. If in doubt, seek the Usher's advice.

### **Language**

- Staff should not swear, blaspheme or use any sort of offensive language in front of pupils
- Staff should not use language which is discriminatory and demeaning in relation to age, race, gender, religion, ethnicity, culture, sexual orientation, disability, learning difficulty, body image, social background, gender (and gender realignment)
- Staff should not make sexual innuendos nor any comments of a sexual nature (other than in the content of the curriculum as specified in schemes of work)
- Staff should not encourage debate and discussion between groups of pupils which could be interpreted as having sexual overtones
- The persistent and hurtful use of sarcastic, demeaning or insensitive comments towards young people can also be regarded as a form of abuse.

### **Teaching materials**

- Careful consideration must be given to the use of books, videos and films of an explicit or sensitive nature, particularly in relation to language or sexual behaviour, and due consideration should be given to the recommended age of films shown in class
- There must always be a clear and demonstrable link with the scheme of work

### **Communication with pupils**

- Staff should always be wary of any form of communication or meeting which might be personal rather than professional, and also of using personal addresses and numbers for e-mails, text messages and calls.
- The school's preferred method of contact for the progress of school business is e-mail.
- Staff should minimise telephone calls to pupils; not least in their own best interests. Where possible, such calls should be made from a school telephone or a school mobile to the pupil's home telephone. Where this is not practicable, colleagues may use their own mobile to call pupils on their mobiles, but this must be purely for contact relating directly to school business e.g. on school trips, and staff should always have considered first whether another form of contact (e.g. to the landline at home) would not be more appropriate. Pupil numbers should be deleted after the trip and, if in any doubt, staff should seek advice. School mobile phones are available for trip purposes for staff who prefer to employ these. Pupils should not be texted via mobile phone.
- In cases where staff feel that it is necessary to call a parent from their own home telephone, they can withhold their number by dialling 141 before entering the parent's number.

- Staff should not give pupils their home address, mobile or home phone number or non-school e-mail address without good cause and for any reason other than professional use.
- Staff should be aware of the less formal style which can characterise e-mail communication and ensure that they do not convey an inappropriate tone. Repeated e-mail communication is a cause for concern.
- Staff should also refer to the policy for computer usage and internet access for staff. This can be found in the policies folder on the intranet. Staff should usually only write letters or send e-mails to individual pupils about routine matters of academic study or pastoral care, congratulations on recent achievements or other purely professional issues
- Staff should avoid contacting pupils at home unless this is strictly necessary – keep a record of any such occasion
- Staff should not give gifts to an individual pupil outside of the school reward system
- If a member of staff believes it necessary to write a personal note or give a gift to an individual pupil s/he should discuss the purpose and context with a senior colleague

### **The use of social media**

- The school expects of staff the same degree of professionalism over the internet as it expects of staff in face to face matters as outlined in this document.
- Staff may have a professional Twitter account, but it must be kept separate from their personal Twitter account(s) and it must be easily identifiable as a professional account (i.e. MCS should be mentioned in the profile details or, in the case of departmental Twitter accounts, in the name). There may be discussion with pupils only on professional accounts; and staff and pupils will be aware that this is a public forum and that all conversation, therefore, will remain professional and open to all eyes.
- The same principle applies to the use of other social media e.g. Scoopit, Facebook or blogs. Staff must not befriend current pupils on personal Facebook (or similar) accounts.
- Any professional social media account must be declared by staff to the Usher and must have a face on the school's website.
- The school has formal Twitter accounts, through which advertising (e.g. events at school) and regular contact with parents (e.g. sports match information) can be delivered. The school account will be managed by the marketing department, the sports account by the sports department.
- Teachers must be mindful of copyright issues e.g. music. If in doubt, don't use it.
- Photographs of MCS children must not be individually identified. Staff must be aware of the rules and sensitivities over use of photographs of pupils both from MCS and particularly other schools. The Registrar or Usher should be consulted on this matter.

### **Relationships**

- Our approach should be concerned, collective and thorough, but professionally detached
- Pupils should not be encouraged to develop excessive reliance on individual staff members
- All staff have a relationship of trust with all pupils by virtue of their position and the work they undertake
- This relationship of trust must not be distorted by fear or favour nor should it allow a relationship to develop in a way that might lead to a sexual relationship
- It is unacceptable for a member of staff to have any kind of sexual or intimate relationships/contact with a pupil of any age or to encourage such relationships/contact. Such relationships constitute gross misconduct.

- The Sexual Offences Act 2003 makes it a criminal offence for a teacher to involve a pupil **of any age** in a sexual activity. Colleagues should note that the Act effectively over-rides the normal age of consent (i.e. 16 ) and should assume that the Act covers every pupil (including those over the age of 18) through to 31<sup>st</sup> August in the year in which they leave the school.
- Any crushes which develop need to be handled sensitively: careless and insensitive reactions have been known to provoke false accusations. Staff should neither encourage the crush nor make jokes about the situation. The advice of a senior colleague must be sought.
- Other members of staff should alert their line manager or the Usher to the possibility of an infatuation in order that appropriate steps can be taken to minimise hurt and distress and risk to the staff member concerned
- If a member of staff is concerned that he/she is developing friendship with a pupil which would have the potential to become unacceptable he/she must ensure that the relationship does not develop further
- Staff must exercise particular care when supervising pupils in the less formal atmosphere of a residential setting or after-school activity – standards of professional conduct and behaviour expected of staff remain the same. Staff should be aware of the particular care required with older, more mature pupils in these circumstances.

### **Confidentiality and data protection**

- Staff must respect the privacy of pupils, parents and colleagues and must not pass on information about, for example, addresses or telephone numbers to others without gaining prior permission from the person concerned.
- Data about pupils e.g. their performance in entrance examinations should only be shared with that particular pupil's parents.
- Information about pupils, parents or colleagues must never be disclosed to telephone enquirers.
- The enquirer must be asked to put the request in writing so that it can be dealt with appropriately.
- All staff are reminded that they must not speak to the media. All media enquiries must be redirected to the Master/Usher or Registrar.

### **Physical contact**

- In nearly all cases physical contact between pupils and staff is inappropriate
- Any physical contact should be the minimum required for care, instruction or restraint.
- Staff are entitled to intervene in self-defence or in an emergency.
- Reasonable force or physical contact is only reasonable by law and as a last resort to prevent a pupil from doing or continuing to: commit a criminal offence, cause significant damage to property, including their own, injure themselves or others, engage in behaviour which has a high and immediate risk of death (e.g. running on to a busy road; hitting someone with a dangerous object), behave in a way that seriously disrupts a lesson, a school sporting event or school visit. To be judged lawful, force used needs to be in proportion to the consequences it is intended to prevent
- Reasonable physical contact may be passive (e.g. standing between pupils or blocking a pupil's path) or active (e.g. ushering a pupil away by placing a hand in the centre of the back)

- Another member of staff should, if possible, be present to act as a witness.
- Before intervening physically staff must, wherever practicable, tell the pupil to stop and what will happen if he/she does not
- The staff member must continue to attempt communicating with the pupil throughout the incident and make it clear that physical contact or restraint will stop as soon as it ceases to be necessary
- Any force used must be the minimum needed to achieve the desired result and must be appropriate for the age, sex and understanding of the pupil
- All incidents of the use of physical restraint should be recorded in writing and reported immediately to the Usher/Master/Bursar (for non-teaching staff) to prevent any misunderstanding or misrepresentation of the incident
- The Usher/Master/Bursar (for non-teaching staff) should be informed of incidents where a staff member considered the use of force may have been necessary or threatened a pupil with the use of force
- This applies when a staff member is on school premises or in charge of the pupil elsewhere e.g. field trip, authorised out of school activity
- Some physical contact may be proper or necessary e.g. to demonstrate exercises or techniques during PE, drama, music or sports coaching. All such planned contact must be demonstrably unavoidable. Staff should explain the intended action to the pupil, should not proceed if the pupil appears to be apprehensive or reluctant and should ensure that other pupils or colleagues are present during the demonstration. Any concerns should be reported to the Master/Usher/Bursar (for non-teaching staff) without delay.
- Staff have a duty of care to pupils: sometimes physical intervention (e.g. preventing a pupil from jumping out of a window) is more appropriate than doing nothing
- Touching may also be appropriate if a pupil is in distress and needs comforting or if a member of staff has to administer first aid. Staff should use their professional judgement and be aware of any special circumstances relating to the pupil. Particular care must be taken in instances which involve the same pupil over a period of time.
- Further guidance regarding use of reasonable force/physical contact is available in two articles in the Policies folder on the intranet (Policies > Physical contact > Physical contact article 1 and Physical contact article 2).

## **Reporting incidents**

- Staff must report to the Master/Usher/Bursar (for non-teaching staff) any concerns they may have following any incident where s/he feels that his/her actions may have been misinterpreted
- This should be reported as soon as possible after the incident and include as an immediate follow up the preparation of a written note of the incident
- Staff who are concerned about or are aware of what appears to be an inappropriate situation should notify their line manager or the Usher. This includes concerns about a colleague acting in an inappropriate way with a pupil or pupils.
- All staff have a responsibility to speak up about safeguarding and welfare matters within the school (usually to the school's Safeguarding Officer in the first instance) and to external agencies where necessary.
- If a colleague is concerned that the Safeguarding Officer (the Usher) has not referred a matter which he/she feel is important or if their concern relates to the Safeguarding Officer, he/she should refer the matter to the Master or Chairman of Governors.

- All staff should also be familiar with the school's whistleblowing policy in its entirety: this is available on the policies section of the intranet.
- Staff can also utilise the NSPCC Whistle blowing hotline on 0800 028 0285

### **Alcohol**

- Consumption of alcohol is forbidden for pupils under the age of 16
- Sixth Formers over 16 may only consume alcohol in moderation at approved school social events
- Staff have a duty to set a responsible example to pupils. They must therefore not consume alcohol in front of pupils unless at an approved school social event or on a school trip, and in all cases alcohol must only be consumed in moderation
- Staff must not drink alcohol on school premises during the school day unless at an approved school function. The school day is defined as 8.00am – 5.00pm.

### **Other professional obligations, for teaching staff.**

All teaching staff should refer to the "Professional Obligations" section of the Staff Handbook for details of further expectations, and particularly those concerning appropriate dress, attendance, private tuition and pupils' special circumstances (the Care List).

Teachers should also be aware of the key features of the regulatory system for teachers introduced on 1<sup>st</sup> April 2012 and of the type of conduct which could lead to the imposition of a prohibition order by the Secretary of State. Examples of such misconduct include violence, offences related to terrorism, fraud/serious dishonesty, class A drugs (particularly if supplying is involved), serious sexual misconduct, arson and other major criminal damage, serious driving offences (particularly those involving alcohol or drugs), serious offences involving alcohol, serious offences involving gambling and possession of prohibited firearms, knives or other weapons.

Further documentation relating to the new Teachers' Disciplinary Regulations can be accessed on the intranet/Policies/Teachers' Disciplinary (England) Regulations 2012.

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By Usher

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