

our policy on staff, intern and volunteer conduct

This policy sets out clear guidance on the standards of behaviour expected from all staff, interns and volunteers at Tubers. The principles underlying the guidance aim to encourage staff, interns and volunteers to achieve the highest possible standards of conduct and minimise the risk of inappropriate conduct occurring.

Tubers staff, interns and volunteers are in a unique position of trust and influence as role models for children and young people. All staff, interns and volunteers must adhere to behaviour that sets a good example to all children and young people who receive Tubers services.

Staff, interns and volunteers also have an individual responsibility to maintain their reputation and the reputation of Tubers, both inside and outside working hours and work setting.

This policy applies to all staff, interns and volunteers at Tubers regardless of their position, role or responsibility. References to 'staff' throughout the policy relate to all of the following groups:

- All members of staff
- Volunteers
- Interns
- Apprentices

Tubers requires that all staff have read and agree to comply with this policy.

Breach or failure to observe this policy will result in action being taken under the Tubers disciplinary procedures including, but not limited to, dismissal.

This code of conduct is not an exhaustive list of acceptable and unacceptable standards of behaviour. In situations where guidance does not exist in this policy staff are expected to exercise their professional judgement and act in the best interests of the children and young people at Tubers.

professional behaviour and conduct

Staff are expected to demonstrate the highest possible standards of personal and professional conduct and behaviour and consistently act with honesty and integrity. Tubers expects staff to treat each other, children and young people, parents/carers and the wider community with dignity and respect at all times.

Staff must act in accordance with their duty of care to children and young people and ensure that the safety and welfare of them are accorded the highest priority.

Staff should show fairness in their treatment of children and avoid behaviours such as embarrassing or humiliating children and young people, making jokes at the expense of children and young people, discriminating against or favouring children and young people and sarcasm.

Staff must have regard for the ethos and values of Tubers and must not do or say anything which may bring Tubers into disrepute. Care should be taken by staff to avoid any conflict of interest between activities undertaken outside Tubers and responsibilities within Tubers. Staff should act in accordance with the Tuber's policies and procedures at all times.

Tubers cannot control what staff post online outside of Tubers. However, Tubers would expect all staff to act online in accordance with the same principles that Tubers educates children and young people about in terms of personal safety and the safety of others, responsible conduct and positive online citizenship. Tubers staff should at all times consider

how their online conduct (personally and professionally) could be construed/perceived by a child/young person or parent/carer in receipt of Tubers services; and the impact of such behaviour/actions/conduct on Tubers as a business. Where Tubers staff consider that a staff member has acted inappropriately online, or breached this policy, a meeting will take place to discuss those concerns and appropriate action in response. A record of that discussion will be held.

dress and appearance

Tubers recognise that dress and appearance are matters of personal choice and self-expression. However, all staff must dress in a manner that is appropriate to a professional role and that promotes a professional image.

Staff should dress in a manner that is not offensive, revealing or sexually provocative and in a manner that is absent from political or contentious slogans.

Staff should dress safely and appropriately for the tasks they undertake.

smoking, alcohol and other substances

Tubers is a non smoking site. Staff must not smoke on Tubers premises or outside the Tubers premises. Any member of staff wishing to smoke must leave the Tubers premises/area.

Staff must not consume or be under the influence of alcohol, illicit drugs or other illegal substances on or near Tubers premises.

Staff must refrain from the consumption of alcohol and other substances at Tubers events both within Tubers premises and outside the Tubers setting.

relationships with children/young people

Staff must maintain professional boundaries with children, young people and parents/carers as is appropriate to their position and must always consider whether their actions are warranted, proportionate, safe and applied equitably. Staff should act in an open and transparent way that would not lead any reasonable person to question their actions or intent. Staff should think carefully about their conduct so that misinterpretations are minimised.

Staff must not establish or seek to establish social contact with children, young people or parents/carers for the purpose of securing a friendship or to pursue or strengthen a relationship. If a young person seeks to establish social contact you should exercise your professional judgement in making a response and be aware that such social contact could be misconstrued.

Staff must not develop personal or sexual relationships with children/young people and should not engage in any sexual activity with a child/young person. Sexual activity does not just involve physical contact including penetrative and non-penetrative acts.

Working Together to Safeguard Children¹ defines sexual abuse as ... 'forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).

¹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf

Staff should be mindful of section 16 of The Sexual Offences Act 2003².

Staff must not make sexual remarks to a child/young person, discuss their own sexual relationships with, or in the presence of, children/young people or discuss a pupil's sexual relationships in an inappropriate setting or context.

Contact with children/young people and parents/carers should be through Tubers authorised mechanisms (e.g. Tubers social media accounts, email and telephone). Personal phone numbers, email addresses or communication routes via all social media platforms should not be used and staff should not share their home address with children and young people. If contacted via an inappropriate route the member of staff must inform the Safeguarding Lead at Tubers immediately.

Whilst it is likely that children and young people may wish to follow interns or other staff on social media, this must only be via publicly accessible means (for example viewing YouTube). Tubers staff must not accept friend invitations or become friends with any child/young person in receipt of Tubers services on any social media platform. Staff should also refrain from following the Twitter or other similar social media accounts of children/young people or their parents/carers. Staff must read the school's online safety policy carefully and follow all advice and guidance contained within it.

infatuations

Young people or sometimes their parents may develop infatuations towards members of staff. All such situations must be responded to sensitively to maintain the dignity of those concerned.

Staff should also be aware that such circumstances carry a high risk of words or actions being misinterpreted and for allegations to be made against staff. Any indications of an infatuation towards yourself or another member of staff must be reported to the Safeguarding Lead.

gifts/hospitality

Staff need to take care that they do not accept any gift/offer of hospitality that might be construed as a bribe by others, or lead the giver to expect preferential treatment. However, there may be occasions where children/young people or parents/carers wish to give a small token of appreciation to staff, for example at religious festivities or at the end of the year.

It is unacceptable to receive gifts on a regular basis or to suggest to children/young people that gifts are appropriate or desired. Money must not be accepted as a gift. If you are unsure whether to accept a gift you should consult the Safeguarding Lead.

Staff must not accept significant gifts or hospitality from children/young people, parents, carers, actual or potential contractors or outside suppliers. All such gifts/offers of hospitality should be reported to the Safeguarding Lead and recorded.

Personal gifts must not be given by staff to children/young people and any reward to children/young people should be in accordance with Tubers behaviour policy, recorded and not based on favouritism.

physical contact with children and young people

² Section 16 of The Sexual Offences Act 2003 provides that it is an offence for a person aged 18 or over (e.g. teacher, youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. A situation where a person is in a position of trust could arise where the child is in full-time education and the person looks after children under 18 in the same establishment as the child, even if s/he does not teach the child.

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children/young people, but it is crucial that they only do so in ways appropriate to their professional role. A 'no touch' approach is impractical for most staff and may in some circumstances be inappropriate. When physical contact is made with children/young people it should be in response to their needs at that time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background.

Where feasible, staff should seek the child's permission before initiating contact. Staff should listen, observe and take note of the child's reaction or feelings and, so far as is possible, use a level of contact which is acceptable to the child for the minimum time necessary.

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. Staff should therefore, use their professional judgement at all times.

Staff should be aware that even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described. Staff should never touch a child in a way which may be considered indecent. Always be prepared to explain actions and accept that all physical contact be open to scrutiny. Staff must not engage in rough play, tickling or fun fights with children/young people.

Extra caution should be exercised where a child is known to have suffered previous abuse or neglect. Such experiences may sometimes make a child exceptionally demanding of physical contact and staff should respond sensitively by deterring the child through helping them to understand the importance of personal boundaries.

Staff may be required to initiate physical contact with children/young people to support them to perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or to assist them with an exercise. Contact under these circumstances should be done with the child/young person's agreement, for the minimum time necessary and in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the child/young person.

Physical contact must never be secretive, for the gratification of the adult or represent a misuse of authority.

If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be reported to the Safeguarding Lead, recorded and, if appropriate, a copy placed on the child's file.

child in distress

There may be occasions when a child/young person is in distress and in need of comfort as a 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.

Such incidents should always be recorded and shared with the Safeguarding Lead. If you have a particular concern about the need to provide this type of care and reassurance you should seek further advice from the Safeguarding Lead.

one to one situations

Staff working individually with children/young people should be aware of the potential vulnerability of children/young people and staff in such situations. Staff should manage these situations with regard to the safety of the child/person and to themselves.

Individual work with children/young people should not be undertaken in isolated areas or rooms where there is no external viewing panel. Where it is necessary to close doors for reasons of confidentiality a colleague should be made aware of this and asked to remain vigilant.

transporting pupils

Under no circumstances are staff permitted to transport children/young people in receipt of Tubers services.

online safety

Staff should follow Tubers online safety policy at all times.

Staff must not engage in inappropriate use of social network sites which may bring themselves, Tubers or the Tubers community into disrepute. Staff should adopt the highest security settings on any personal profiles they have.

Staff should remain mindful of their digital footprint and exercise caution in all their use of social media or any other web based presence they have. This includes written content, videos or photographs and views expressed either directly or by 'liking' certain pages or posts or following certain individuals or groups. Staff should exercise care when using dating websites where staff could encounter students.

Staff must not make contact with children/young people, must not accept or initiate friend requests nor follow children/young people's accounts on any social media platform. Staff must not communicate with children/young people via social media, websites, instant messenger accounts or text message. The only acceptable method of contact is via the use of Tubers email accounts, social media accounts or telephone equipment (which are only to be used by paid staff and not interns or volunteers).

Staff should not make contact with children/young people's family members, accept or initiate friend requests or follow children/young people's family member's account on any social media platform.

However, Tubers acknowledges that staff who are also parents may wish to make contact with other parents, who are friends, over social media. Staff must exercise caution and professional judgement in these circumstances and should not have any contact with children/young people's family members via social media if that contact is likely to constitute a conflict of interest or call into question their objectivity.

Mobile phones and personally-owned mobile devices brought in to Tubers are the responsibility of the device owner. Tubers accepts no responsibility for the loss, theft or damage of personally-owned mobile phones or mobile devices.

photography, video and images of children

Using digital and video images is the basis of what we do, and we will teach children and young people how to become online content creators. However staff, parents/carers and the children and young people we work with need to be aware of the risks associated with publishing digital images (and other content) on the internet. Whatever we publish online can remain there indefinitely, and could cause harm or embarrassment to individuals. We will educate those we work with about these risks and work to ensure that they leave a legacy of positive online content.

All content created at Tubers will be published via Tubers accounts. Whilst Tubers will provide children and young people with the knowledge and skills to create and publish digital content, Tubers will not accept responsibility for any content posted by a young person using Tubers services, via alternative (i.e personal) accounts.

When using digital images/content staff will inform and educate children and young people about the risks associated with the taking, use, sharing, publication and distribution of images/content. In particular they should recognise the risks attached to publishing their own images on the internet (e.g. on social networking sites).

Written permission from parents or carers will be obtained before photographs/digital film of children/young people are published online at the start of each term. Given the nature of the sessions, unfortunately children/young people will not be able to take part in activities without this consent.

Other than Tubers staff/volunteers taking images of children during their time with our organisation (for example taking part in an activity), for training or marketing/publicity purposes, no other individual may take images/record film of any child or young person. Such images/film recorded at Tubers will only be published via designated Tubers online accounts (i.e. never using personal accounts/apps).

Tubers staff will be responsible for authorising the publishing of all online content created by children and young people from the designated Tubers accounts. .

confidentiality

Members of staff may have access to confidential information about children/young people, their parents/carers or their siblings. Staff must not reveal such information except to those colleagues who have a professional role in relation to the child/young person on a need to know basis.

Staff should never use confidential or personal information about a child/young person or her/his family for their own, or others' advantage (including that of partners, friends, relatives or other organisations). Information must never be used to intimidate, humiliate, or embarrass the child/young person.

All staff are likely at some point to witness actions which need to be confidential. For example, where a child/young person is bullied by another child/young person, this needs to be reported and dealt with in accordance with the appropriate Tubers procedure. It must not be discussed outside of Tubers, including with the child/young person's parent or carer, nor with colleagues at Tubers except by a senior member of staff with the appropriate authority to deal with the matter.

Staff have a statutory obligation to share with Tubers Designated Safeguarding Lead or Deputy Designated Safeguarding Lead any information which gives rise to concern about the welfare or safety of a child/young person or that might suggest a child/young person is in need or at risk of significant harm. Staff should pass on information without delay in accordance with Tuber's safeguarding policy and procedures and this should be recorded. Staff must never promise a child/young person that they will not act on or pass on any information that they are told by the pupil/student.

If you are in any doubt about whether to share information you should seek guidance from a senior member of staff/Safeguarding Lead.

Any media or legal enquiries should be passed to a senior member of staff/Safeguarding Lead and only approved staff should communicate to the media about Tubers.

whistleblowing

Whistleblowing is the mechanism by which staff can voice their concerns, without fear of repercussion.

All Tubers staff have a duty to report any behaviour by a colleague which raises concern. Staff should refer to the Tuber's whistleblowing policy for further guidance. This is particularly important where the welfare of children/young people may be at risk.

compliance

All staff must complete the form in appendix 1 to confirm they have read, understood and agree to comply with this policy. This form should be signed and dated and a copy retained on the member of staff's file.

contact details

The person within our team responsible for Safeguarding (Designated Safeguarding Lead) is:

Nick Ellison

Email: team@tubers.uk

Telephone: 07837 340736

policy review

This policy was created on 28 December 2016. We are committed to reviewing our policy annually. This policy will be reviewed on or before 28 December 2017.

Appendix 1

Confirmation of compliance

I hereby confirm that I have read, understood and agree to comply with Tubers staff behaviour policy.

Name

Position/Post Held.....

Signed

Date

Once completed, signed and dated, please return this form to the Safeguarding Lead