



EPSOM

COLLEGE

CODE OF CONDUCT FOR ALL STAFF ON ESSENTIAL SAFE PRACTICE ADVICE FOR THE AVOIDANCE OF ALLEGATIONS AND FOR THE PROTECTION OF STAFF AND PUPILS

Introduction

The College, in meeting its requirements to safeguard children under s157 Education Act 2002, must issue guidance to all staff volunteers and governors, on the conduct required to ensure children are safe¹. We recognise the need for, and the desirability of, friendly and respectful social and professional contacts between members of staff and pupils. Individual conversations and other forms of contact between children and adults are key components in the educational experience provided at Epsom College. However, members of staff always need to remember that a minority of adults in the children's workforce do harm children by their words and actions, and some who may appear to be very caring and good with children groom and sexually abuse children. The guidance issued to you in Part One of Keeping Children Safe in Education advises you to be alert that "It could happen here" as well as in any other school.

In addition, some unwary actions can be misconstrued as unprofessional conduct, with potentially damaging effect on a career. This document, which adheres closely to guidance published by the government², sets out to encourage an atmosphere of trust in which all those who work with pupils can conduct their professional lives with confidence. It complements other College policies and guidance that relate to pupil-staff interactions; in particular

Anti-bullying Policy

Behaviour Policy

Child Protection and Safeguarding Policy

Staff ICT and Acceptable Use Policy

Off-site Activities Management System (EVOLVE)

Provision of Medical Care

Use of Reasonable Force to Control or Restrain Pupils and the power to search and confiscate

Whistle-blowing

Aims

The purpose of this guidance is to:

- assist teachers and other adults who work with pupils to work safely and responsibly and to monitor their own conduct and practice;
- keep pupils safe by clarifying which behaviours constitute safe practice and which behaviours should be avoided;

¹ Keeping Children Safe in Education DfE Sept 2024

² *Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings* — DfE May 2019

- minimise the risk of misplaced or malicious allegations being made against members of staff;
- support housemasters/mistresses, heads of departments and others in positions of responsibility in setting clear expectations of behaviour and/or codes of practice relevant to their area of work;
- support the College in giving a clear message to all its employees that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken;
- support safer recruitment practice;
- avert any abuse or misuse of positions of trust.

General principles

All adults who come into contact with pupils in their work have a duty of care to safeguard and promote their welfare. The Education Act 2002 places a duty on schools to safeguard and promote the well-being of pupils. This includes the need to ensure that all adults who work with or on behalf of pupils are competent, confident and safe to do so.

Pupils, or child, within the context of this policy, includes all pupils at the College, including those who are over the age of 18 during their time at the College.

All those who work with children at Epsom College will want to act professionally in providing a safe and supportive environment that guarantees the well-being and very best outcomes for pupils in their care. However, it has to be recognised that tensions and misunderstandings can occur, and it is here that the behaviour of adults can give rise to allegations of abuse being made against them. Such allegations may be malicious or misplaced. They may arise from differing perceptions of the same event, but when they occur they are inevitably distressing and create difficulties for all concerned. But it must also be accepted that some allegations will be genuine, and certainly in the wider world it is recognised that there are adults who deliberately seek out, create or exploit opportunities to abuse children. It is therefore essential that all possible steps be taken to safeguard pupils and ensure that the adults working with them are safe to do so.

This document seeks to identify what behaviours are expected of members of staff and to ensure that the duty to promote and safeguard the wellbeing of children is, at least in part, achieved by raising awareness of illegal, unsafe and inappropriate behaviours.

It must be accepted that guidance of this sort cannot cover all eventualities. There will be occasions when professional judgements have to be made in situations not covered here, or which directly contravene other protocols adopted at the College. In such circumstances members of staff must always advise a senior colleague of the justification for action already taken or proposed.

The following should be regarded as principles that underpin this document and the way it is to be interpreted and applied:

- the welfare of the child is paramount;³
- it is the responsibility of all adults to safeguard⁴ and promote the welfare of pupils;

³ Children Act 1989.

⁴ 'Safeguarding' is the process of protecting children from maltreatment, preventing impairment of children's health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care, taking action to enable all children to have the best outcomes *Working Together to Safeguard Children* — HM Government December 2023.

- teachers⁵ and other adults who work with children are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions;
- members of staff should work and be seen to work in an open and transparent way;⁶
- the same professional standards should always be applied regardless of pupils' culture, disability, gender, language, racial origin, religious belief and/or sexual identity;
- teachers and other adults who work with children should continually monitor and review their conduct and working practices.
- All members of staff, paid or unpaid, and governors must raise any concerns about others with the Designated Safeguarding Lead, the Head, or Chair of Governors as appropriate

Guidance for safe working practice

By virtue of their knowledge, position and the authority vested in their role, all teachers working in a school and many other members of staff are in positions of trust in relation to pupils. Broadly speaking, a position of trust can be described as a relationship in which one party is able to exert power or influence over the other by virtue of their work or the nature of their activity. It is vital for all those in positions of trust to comprehend the power this can give them over those for whom they have a duty of care and the responsibility they must exercise as a consequence of this relationship.

A relationship between an adult and a child or young person is not a relationship between equals. There is potential for exploitation and harm of vulnerable young people. Adults therefore have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Staff should always maintain appropriate professional boundaries and avoid behaviour that might be misinterpreted by others. They should report and record any incident that has this potential.

The guidance applies to all adults whose work brings them into contact with pupils at the College. For ease of reading the term 'staff' is used throughout. It should be taken to mean one or more members of the teaching staff, support staff or governors, whether full-time, part-time or temporary, and whether employed or volunteer.

Propriety in general

It is expected that all staff will adopt high standards of personal conduct in order to maintain the confidence and respect of colleagues, pupils and the public in general. There may be times, for example, when staff members' behaviour or actions in their personal lives come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position at the College or indicate an unsuitability to work with pupils. Staff should take care to ensure their digital footprint could not compromise them or undermine the seriousness of their position in college, checking the suitability of posts, and privacy settings on any social media account. Misuse of drugs or alcohol, accessing child "pornography",⁷ or acts of violence would be examples of such behaviour. Any involvement by the police in a family matter, or arrest

The Teachers' Standards 2021 state that teachers, including headteachers, should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties

⁶ Remember that a number of Serious Case Reviews have highlighted that those adults who wish to sexually abuse children and get away with it in organisations "hide in the open" so do not be falsely reassured because others are around, or others are aware of practice which concerns you.

⁷ Child "pornography" is in fact child abuse, NOT pornography, and in law is any indecent image of a child considered to be under 18 years old, and may be sexual posing of an individual child such as "naturist" type images, or more serious sexual activity. Bestiality and some adult sexual and violent images are also illegal. Those with a habit of looking at adult pornography online are increasingly at risk of downloading and sharing images for which they could later be arrested. See the section on page 10 below

whether or not a criminal charge follows, should be reported to the Head as soon as possible, in the anticipation that the police may share that information directly, in view of a person's employment with children. Staff should therefore understand and be aware that safe practice involves using judgement and integrity about their behaviour outside school. Staff should act in a way that would bring the school, or the teaching profession, into disrepute. This covers conduct including but not limited to relevant criminal offences, such as violence or sexual misconduct, as well as negative comments about the school on social media. The behaviour of a staff member's partner or other family members may in certain circumstances raise similar concerns and require careful consideration by the College as to whether any action should be taken to reduce a potential risk to pupils.

Confidentiality

Staff who have access to confidential or personal information about a pupil or their family should never use such information for their own or others' advantage. Such information must never be used to intimidate, humiliate, or embarrass the pupil and never brought up casually in conversation or shared with any person other than on a need-to-know basis. In circumstances where it is not necessary to disclose the pupil's identity the information should be used with anonymity preserved.

There are circumstances in which a member of staff is obliged to share information about a pupil; for example, when abuse is alleged or suspected. In such cases staff have a duty to pass information on without delay to those with designated child protection responsibilities.⁸

If a member of staff is in any doubt about whether to share information or keep it confidential he or she should seek guidance from a senior colleague. Fears about sharing information cannot be allowed to stand in the way of the need to promote the welfare and protect the safety of children. "The GDPR and Data Protection Act 2018" does not prevent, or limit, the sharing of information for the purposes of keeping children and young people safe."⁹

Content of lessons

It is inevitable that certain lessons in some subjects will include subject matter that is sexually explicit or of an otherwise sensitive nature. When planning lessons teachers should take care to ensure that the use of resource materials cannot be misinterpreted and always relates to clearly identifiable learning outcomes. Unplanned discussions about this sort of subject matter can arise in many areas of the curriculum. Staff should never enter into or encourage inappropriate discussion about sexual activity or any behaviour that may offend or harm others, and take care when encouraging pupils to use self-expression not to overstep personal and professional boundaries. Responding to pupils' questions often requires careful judgement and teachers may wish to take guidance from the head of department or another senior colleague.

Rewards and favouritism

The award of merits, commendations, distinctions, team colours and other forms of recognition, in keeping with agreed and clearly defined criteria, are the well-established means by which staff are able to support positive behaviour and reward pupils for particular achievements. It is important in the interest of fairness, that staff follow the overall agreed behaviour and rewards policy agreed by the school community. However, there may be in addition specific occasions when staff consider it appropriate to give a pupil a small personal gift of insignificant value. Unless this is done in a very open manner, such as the giving of a token prize to the winner of a house or classroom competition, staff must mention the giving of the gift and the reason for doing so to a senior colleague

⁸ Teachers are required by law to report known cases of female genital mutilation directly to the police under Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015). Should this circumstance occur, the DSL should be informed and involved.

⁹Information sharing HM Government July 2023

and record the action. Staff should be aware that the giving of gifts to a child by an adult, especially if done privately, could be misinterpreted by others as a gesture indicating abuse of a position of trust, and is indeed a method used in the grooming of children for sexual offences.

Staff should exercise care when selecting pupils for positions of responsibility, teams, productions, trips and/or other activities within school, or when endorsing the applications of pupils for opportunities beyond school, in order to avoid perceptions of favouritism or unfairness. It follows that similar care should be exercised when pupils are excluded from an activity or opportunity. Staff should be prepared to justify any methods used for selection and exclusion, which wherever practicable should be undertaken and agreed openly by more than one member of staff.

Gifts received

Care should also be taken to ensure that staff do not accept any gift that might be construed by others as an inducement, or lead the giver to expect entitlement to preferential treatment. There are of course occasions when it is acceptable for staff to receive small gifts from pupils and/or their parents wishing to pass on tokens of appreciation. However, staff who are offered gifts on a regular basis or of significant value are advised to inform the Head. For further details see the College's "Anti-Bribery Policy".

Dress and appearance

A person's dress and appearance are matters of personal choice and self-expression. However, staff should always dress in ways that are appropriate to their role and not likely to be viewed as offensive, revealing, distracting or in any way provocative.

Social contact

Staff should not establish or seek to establish social contact, either in person or on-line, with pupils or their parents for the purpose of securing a friendship or to pursue or strengthen a relationship. If a pupil or a parent seeks to establish social contact, or if this occurs by chance, the member of staff will have to exercise their professional judgement in making a response. There will of course be circumstances when social contacts between pupils and staff do exist — where for example a parent and a teacher are related or form part of the same social circle. Such contacts, however, should be easily recognised and openly acknowledged. Nevertheless, there should be an awareness on the part of staff that some social contacts with pupils, could be misconstrued as being part a grooming process. This can apply to something as simple as the sending of a birthday card but can also apply to social contacts made through outside interests or through the staff member's own family. Staff need to consider the appropriateness of any social contact or communication according to their role and the nature of their work, and if in any doubt about that appropriateness are strongly advised to discuss the circumstances with a senior colleague.

It is recognised that staff can become involved in supporting a parent, or a pupil, who may be in particular difficulty. Care needs to be exercised in those situations where the parent or pupil comes to depend upon the staff member for support outside their professional role. This situation should be discussed with a senior colleague who may after further consultation decide to refer the matter to the appropriate support agency.

Electronic communication

Risks to children in connection with 'e-safety' are posed more by behaviour and values than by the technology itself. Staff should only make contact with children for professional reasons and must therefore ensure that all communications with pupils use the College's email address and phone contact numbers only. Staff should not share any personal information with pupils, including personal contact details such as mobile telephone numbers and details of any blogs or personal websites, and they should not request, or respond to requests for, any personal

information from a pupil, even where they leave the college, unless the need to do so has been agreed exceptionally with a senior colleague.

Staff who enjoy the benefits of using social networking sites need to be aware that they are potentially vulnerable if any link is made by such means with pupils or their parents and even former pupils (who may still have friends at school). So-called 'friendship requests' from pupils on social networking or messaging sites must be declined. Staff should not access pupils' social networking sites, and staff who have their own social networking sites should ensure they have adequate privacy settings, check and update those regularly, and not list pupils as personal contacts. Staff wishing to set up a social networking site for a College project or activity should create a new user profile agreed with the DSL and Director of Marketing, and not use their own.

In summary, staff who need to communicate with pupils must make use of equipment and technology provided by the College unless this has been pre-agreed with the DSL. For example, an e-mail should be sent using the College's business network and never via a staff member's private e-mail account. It is acceptable for certain staff (such as Housemasters and Housemistresses) to have pupil contacts stored on equipment provided by the College for their sole use, but the school reserves the right to randomly check communication on this equipment to ensure that it is being used in line with school policies and procedures.

Inappropriate Contact from Pupils

If a member of staff receives inappropriate correspondence or communication from a pupil, or any communication to a personal rather than college address, then they must report it immediately to the DSL.

Sexual contact

Staff should clearly understand the need to maintain appropriate boundaries in their contacts with pupils. Any sexual activity between an adult and the child or young person with whom they work will be regarded as a criminal offence and will always be a matter for referral via the Designated Officer (DO)/Local Authority Designated officer (LADO) to Surrey Police, and for disciplinary action. Allowing or encouraging a relationship to develop in a way that might lead to a sexual relationship is also unacceptable, and could constitute the criminal offence of Grooming.

The Sexual Offences Act 2003 extended the abuse of position-of-trust offences set out in earlier legislation. These offences cover all children under 18 including those over 16 who, even though they are over the age of consent, are potentially vulnerable to sexual abuse from people in positions of trust and authority. The Act makes clear that teachers and other staff in schools are in positions of trust to which these offences relate. Sexual activity referred to in the Act does not have to involve physical contact. It also includes non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material.

Staff should take care that their language, conduct or any images they show to pupils do not give rise to comment or speculation. They should not have any form of communication with a pupil that could be interpreted as sexually suggestive or provocative. Nor should they make sexual remarks to or about a pupil, or discuss their own sexual relationships with or in the presence of pupils.

There are occasions when adults embark on 'grooming' where the sole purpose is to gain the trust of a child and manipulate that relationship so sexual abuse can take place. Staff should be aware that consistently conferring inappropriate special attention and favour upon a pupil might be construed as being part of a 'grooming' process and as such will give rise to concerns about their behaviour. If a young person is receiving additional attention over a period by a member of staff for any reason, e.g. ongoing anxiety or distress, or a request for additional help, this must be reported by the member of staff to their line manager and agreed.

Physical contact — general

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. Any physical contact should be in response to the pupil's needs at the time, of limited duration and appropriate to the pupil's age, stage of development, gender, ethnicity and background. It is not possible to be specific about the appropriateness of every possibility of 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. Staff have to use professional judgement at all times.

Physical contact should never be secretive, or 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 without delay to the DSL, who will discuss the incident with the pupil's housemaster/mistress or Head of Lower School, as appropriate, and ensure that a record of the incident is kept.

The general culture of 'limited touch' should be adapted, where appropriate, to the individual requirements of each pupil. Children with special needs may require more physical contact to assist their everyday learning. Arrangements of this kind should be understood and agreed by all concerned, justified in terms of the pupil's needs, consistently applied and open to scrutiny.

It is not unknown for children to seek inappropriate physical contact. Staff need to be aware that when this happens they should sensitively deter the pupil and help him/her understand the importance of personal boundaries. Such circumstances must always be reported and discussed with the pupil's housemaster/mistress or Head of Lower School, as appropriate.

Offering comfort

There may be occasions when it would not be considered inappropriate to offer sympathy and reassurance that involves physical contact or even a display of affection to a distressed or inconsolable pupil; after a fall or other sudden injury, for example, or on receipt of disappointing or upsetting news, or in severe cases of homesickness. It should not be assumed, however, that all pupils would welcome physical comfort in such circumstances, and the child's own reaction to a physical approach should always be checked first, and their wish respected. Staff should use their professional judgement to comfort or reassure a pupil in way that is appropriate to his/her age and gender, taking care to ensure that any action that could be interpreted as a display of affection does not take place unless another adult is present.

Staff should always report any concern they might have that an action of theirs may have been misinterpreted to the pupil's housemaster/mistress or Head of Lower School as appropriate.

Activities that require physical contact

Staff who teach certain subjects such as PE/sports, music, drama, dance or outdoor activities sometimes have to initiate physical contact with pupils; for example, to demonstrate technique in the use of a particular piece of equipment, adjust posture, prevent injury or perhaps support a pupil so they can perform an action safely. Such activities should be carried out in accordance with what the relevant head of department deems best practice and in line with any guidance and protocols around safe and appropriate physical contact provided by, for example, sports governing bodies or professional educational organisations. In general, a teacher should explain the purpose and intent of any direct physical contact beforehand.

Physical contact should take place only when it is necessary in relation to a particular activity. It should take place in a safe and open environment — one easily observed by others — and last for the minimum time necessary. Contact should be relevant to their age or understanding and staff should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil. Any incidents of physical contact that cause concern or fall outside accepted guidance and protocols should be reported to the pupil's housemaster/mistress or Head of Lower School as appropriate.

Behaviour management

All pupils have a right to be treated with respect and dignity even in those circumstances where they display difficult or challenging behaviour. Staff should not resort to sarcasm or make demeaning or insensitive comments towards or about pupils.

The ways in which good behaviour, effort and achievement can be recognised at the College and the use of sanctions are set out in our *Behaviour Policy*. It is made clear that there is no corporal punishment at Epsom College and that sanctions that are humiliating or degrading should never be used. Guidance is offered on a member of staff's right to search pupils and on when it is appropriate to confiscate pupils' possessions.

There are of course circumstances when staff are empowered to act in a way that involves some form of physical intervention — in particular when the health and safety of pupils or anyone else is seen to be at risk, but also to prevent damage to property and possessions and in some situations to preserve good order and discipline at the College. In all cases the intervention should be reasonable and proportionate. Guidance to staff enabling them to conduct themselves in an appropriate manner on those rare occasions when it is deemed necessary to use some form of force including physical restraint is offered in the policy document *Use of Reasonable Force to Control or Restrain Pupils*.

Infatuations

It is a normal part of a young person's sexual and emotional development to develop a crush on a teacher or other adult in their life. It is vitally important that staff understand this, and react in a safe way. Staff may encounter a pupil displaying attention-seeking behaviour and/or who professes to be attracted to them. Staff should deal with these situations sensitively and appropriately to maintain the dignity and safety of all concerned. Infatuations carry a high risk of words or actions being misinterpreted and staff must therefore make every effort to ensure that their own behaviour is at all times above reproach.

However embarrassing, staff who become aware that a pupil is developing an infatuation should at the earliest opportunity ensure that a senior colleague is made aware of the situation. It may be decided that appropriate and discreet intervention is needed to avoid further hurt, distress or embarrassment. Although we would not want to prevent one to one connections which may support a young person in times of stress, staff should be very wary of the fact that it can be flattering to be the chosen one, and take special care not to enter into personal telephone text or email correspondence. ALWAYS share such a situation with your line manager, and follow advice.

First aid and administration of medication

The College's policy document *Provision of Medical Care*, which covers the means by which pupils with medical needs can be supported at the College, sets out medical protocols including the management of pupils' medicines. It recognises that most pupils will at some time have short-term medical needs, that a few will have long-standing medical needs that may require medicines indefinitely to keep them well, and that some require medicines in particular circumstances, such as those with severe allergies and those who suffer from asthma. The College regards pupils' taking responsibility for managing their own medicines as good practice. Parents who do not wish their child to manage their own medicine may stipulate that their child's medicine is kept and administered by school staff, but there is no legal obligation that requires housemasters/mistresses, tutors and others regarded as medically unqualified to do so.

The College has in place adequate procedures for dealing with medical emergencies, including sports injuries. In addition, it is extremely well provided for in terms of staff who maintain first-aid qualifications. All staff should acknowledge the limitations of their role in applying basic care and hygiene tasks for minor abrasions and be able to recognise situations where an injury requires more experienced intervention. When administering first aid staff should always explain their intended actions to the young person, and wherever possible ensure that another member of staff, if not actually present, is at least aware of the action being taken.

Personal care

All pupils are entitled to respect and privacy at all times and especially when in a state of undress while changing, bathing, showering or undertaking any form of personal care. When supervision is needed in order to safeguard pupils and/or satisfy health and safety considerations it should be appropriate to the needs and age of the pupils concerned and sensitive to the potential for embarrassment.

Staff need to be vigilant about their own behaviour, ensure that they avoid any visual intrusion, and announce their intention of entering any rooms where pupils might be changing. Staff should never change in the same place as pupils, use the same toilet facilities, shower or bathe with pupils, or assist with any personal care task that a pupil can and should undertake by themselves.

Pupils should understand that their housemaster/mistress or tutor acting on their behalf has the right to enter a study in the house at any time without invitation or warning. Out of courtesy, however, the housemaster/mistress would normally knock just before entering, and at times when pupils are likely to be changing (such as before breakfast, before and after games and at bedtimes) the housemaster/mistress should also wait a reasonable time for an 'all-clear' before entering.

One-to-one meetings

One-to-one situations have the potential to make pupils more vulnerable to harm by those who seek to exploit their position of trust. Staff who work one-to-one with pupils may also be more vulnerable to unjust or unfounded allegations being made against them. An awareness of both possibilities enables reasonable and sensible precautions to be taken when one-to-one situations arise.

One-to-one meetings should, wherever possible, take place in public or semi-public places such as housemasters'/mistresses', Head of Lower School's, tutors' or pupils' studies, departmental offices, dayrooms or classrooms, and at times when other adults are likely to be around. Excessive privacy and the use of remote, secluded locations should be avoided: a meeting held in a ground-floor classroom having lots of windows and with the door left ajar is clearly safer for all concerned than one held in an upper floor office with curtains drawn, the door closed and an 'engaged' sign posted. Exceptionally, a meeting of a particularly sensitive or confidential nature or one expected to take some time may have to be arranged in a more private College room; however, the pupil's housemaster/mistress or Head of Lower School should always be informed in advance of such a meeting, which if at all possible should be held at a time when another adult can be close by in an adjoining room.

No pupil, or group of pupils, should be invited into a member of staff's private accommodation under any circumstances.

Staff should always report to the housemaster/mistress or Head of Lower School, as appropriate, any instance of a pupil becoming distressed or angry during a one-to-one meeting.

Home visits

Though all work with pupils (and parents) is normally undertaken on College premises, there are circumstances under which it might be thought necessary and appropriate for a member of staff to visit a pupil at home. However, pre-arranged meetings between staff and pupils away from the College premises should never take place without the knowledge of the pupil's parent(s) and the housemaster/mistress or Head of Lower School as appropriate. Seeking the parent's agreement alone is not sufficient.

Where a programme of work is to be undertaken in a pupil's home an appropriate working space should be provided and a plan that includes objectives and timings of sessions should be agreed with the pupil and parent(s).

There should also be an agreement that a parent or other suitable adult will remain in the home throughout each session.

Staff are advised to keep records (to include times of arrival and departure and work undertaken) of all sessions and to discuss with the pupil's housemaster/mistress or Head of Lower School any behaviour or situation that gives rise to concern.

Transporting pupils

College owned vehicles, or privately hired vehicles, only should be used to transport pupils to and from games fixtures and other activities. Situations do arise when the decision to transport a pupil in a privately-owned vehicle has to be taken quickly and without consultation — in cases of emergency, for example, and where not to give a lift would place a pupil at risk. Such circumstances must always be recorded and reported to the pupil's housemaster/mistress or Head of Lower School as soon as possible afterwards.

In all such situations it is the driver's responsibility to ensure that the vehicle used is roadworthy and appropriately insured, that the maximum capacity is not exceeded, and that all passengers wear seat belts.

It is inappropriate for staff to offer lifts to pupils outside their normal working duties.

Educational visits and other off-site activities

Although guidance offered in this document relates primarily to regular everyday College activities that take place within school, most of it applies equally to official College activities that take place further afield. Staff should take particular care when supervising pupils on visits and tours, where the setting would normally be less formal than in College. Staff are still in a position of trust and need to ensure that their conduct remains within clearly defined professional boundaries.

Standard procedures for planning and managing off-site visits, including undertaking risk assessments and obtaining parental consent, are specified in The *Epsom Off-site Activities Management System* (EVOLVE), which also gives details of best practice for a range of off-site activities.

Photography and videos

The Data Protection Act 1998 does not prevent parents and staff from taking photographs at events such as sports competitions, the Annual General Inspection or Founder's Day. However, images of pupils (and staff) are classed as personal data under the terms of the Act, and using pupils' images for publicity purposes will therefore require the consent of the pupil and their parents. Photographs taken purely for personal use, such as those taken by parents, and those taken by the media are usually exempt from the Act. Further advice on interpreting the terms of the Act is available from the Information Commissioner's Office.¹⁰

Parents of all pupils are invited to refuse permission to have any image of their son or daughter displayed in published material. Very few choose this option, but staff who take photographs of pupils must check with the Database Administrator that any picture that is to be displayed or published, especially on the internet, does not contain the image of a pupil for whom parental permission has been withheld.

Staff who take photographs of scenes that include pupils need to remain sensitive to any pupils who for whatever reason appear uncomfortable, and should recognise the potential for such activities to raise concerns or lead to misunderstandings. Due regard should always be given to safeguarding the privacy, dignity and interests of pupils. Although in most circumstances it is clearly not practicable to obtain consent from every pupil who might appear

¹⁰ *Data Protection Good Practice Note: Taking Photographs in Schools* — ICO, October 2007.
Available online at www.ico.gov.uk > For organisations > Topic specific guides > Education > Taking photos in schools.

in a photograph, great care should be taken when photographing pupils without their knowledge. Photographs of pupils should never be taken 'in secret'. It is not appropriate for staff to take photographs of children for their personal use, and photographs of pupils taken in school or on school activities should be uploaded onto the school's site and then deleted from any personal media. Staff should ensure that any images are also deleted from any cloud storage they may also use. Where a member of staff wishes to retain a photograph for personal use, for example at a special event involving the member of staff that should be recorded and agreed by the member of staff's line manager.

Inappropriate internet access and possession of images

There are no circumstances that can justify adults possessing indecent images of children (those who could be considered to be under 18). Accessing, making and storing indecent images of children is illegal. The police through the Local Authority Designated Officer (LADO) will always be informed, or either will inform the Head, if any member of staff is found to be in possession of indecent images of children or other unsuitable material or is found to have accessed or to have established links to inappropriate websites. This will lead to criminal investigation and where charged, subsequently to Sex Offender registration, and the individual being barred from working with children. Staff, and pupils as appropriate in PSD or internet safety lessons, should be aware that accessing apparently legal adult pornography online in their personal lives can also lead to images being received of persons under 18 which are illegal in this country, and possible arrest, and need to take extra care, including reporting any images received inadvertently to the Internet Watch Foundation. Merely deleting images will not avoid detection if the hard drive is later seized by police.

Staff should ensure that pupils are not exposed to any inappropriate images or web links.

Staff should not use equipment and systems belonging to the College to access adult pornography; nor should personal equipment containing pornographic images or links to them be brought into school. Such conduct would result in disciplinary action for gross misconduct, and may raise serious concerns about the suitability of the member of staff to continue to work with children.

Social networking, chatrooms, and other use of digital media

As well as the risks of accessing adult pornography online, there are additional risks in using chatrooms which needs to be drawn to the attention of all staff. Since April 2017, 'Sexual communication with a child' criminalises conduct of an adult who intentionally communicates with a child under the age of 16 (whom the adult does not reasonably hold the belief for them to be aged 16 or over), with the purpose of obtaining sexual gratification if that communication is sexual in nature or its intent is to encourage the child to make a communication that is sexual. Vigilante groups (and the police) operate on these platforms encouraging sexual conversation which may lead to arrest. In addition, "The Voyeurism (Offences) Act" April 2019 (commonly known as the "Upskirting Act") makes the taking of an image or video under somebody's clothing in order to see their genitals or underwear a criminal offence. Staff should be aware of this in policing the possession and use of smartphones in changing areas and the Houses.

Low-Level Concerns

The safety and wellbeing of children at the College is dependent on the vigilance of all staff and their prompt communication to the DSL, a Deputy DSL or the Head of any concerns, no matter how small, about any conduct by an adult which causes them to doubt that adult's suitability to work with, or have access to, children. This includes the ability to self-report. The College is conscious of its duty of care to pupils and will always act, including if alerted to the possibility of abuse arising from situations or persons outside the school setting.

The notification and prompt handling of all concerns about adults is fundamental to safeguarding children. It helps to identify and prevent abuse and to protect adults against misunderstandings or misinterpretations. It also

encourages openness, trust and transparency and it clarifies expected behaviours. Those raising concerns or reporting allegations in good faith will always be supported, and adults in respect of whom concerns or allegations have been raised will not suffer any detriment unless the concern or allegation is found to be substantiated. More information on low-level concerns and how to report them are included in the Child Protection Policy.

Epsom College actively encourages staff to speak out. If a member of staff is concerned about the behaviour or actions of any adult, speak to the DSL, a Deputy DSL or the Head.

Further information on Low Level Concerns can be found under Section 14 of the Child Protection and Safeguarding Policy.

Professional judgement

This guidance cannot provide a comprehensive assessment of what is or is not appropriate behaviour for staff that covers all situations. There may be occasions and circumstances when staff in the best interests of pupils have to make decisions or take action that contravenes guidance offered in this document or is not covered by this guidance at all. Staff making judgements about their behaviour in order to secure the best interests and welfare of the pupils in their charge always need to give consideration to whether their actions are warranted, proportionate, safe and applied even-handedly. Judgements and actions that appear to be at odds with this guidance should be recorded and shared with a senior colleague. By doing so staff can be seen to have acted reasonably.