

**A Professional Code of Conduct
and Guidance for safe working
practices for the protection of
children and staff in this school.**

Prepared 2008
Version 1.0

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AT WOLGARSTON HIGH SCHOOL:

Our vision:

~ is to be recognised as an outstanding school that demonstrates excellence in:

- the quality and vibrancy of our learning culture;
- our levels of achievement;
- the ways in which we work in partnership with our students, parents and the wider community;
- our contribution to developing lifelong learners by making learning enjoyable and accessible for all;
- enabling our young people to make a positive contribution as confident and responsible global citizens

Our values:

We are committed to ensuring that our school is a learning community based on:

- honesty, integrity, fairness and openness in our dealings with others;
- accepting responsibility for ourselves, our actions and our environment;
- respecting the right of others to learn;
- treating one another with courtesy and respect, caring for and supporting each member of our school community;
- striving to be the best we can be, demonstrating perseverance and resilience.

SPECIFICALLY:

Wolgarston High School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

As a school we aspire to have a safe, supportive school culture that is characterised by:

- Setting behavioural boundaries for pupils and staff ~ *see the school's various behaviour and bullying policies as well as this document.*
- Listening and investigating when inappropriate behaviour is reported ~ *see the school's complaints and Child Protection policies.*
- Adopting a stringent approach to the safer recruitment of staff as required by the appropriate national legislation ~ *see the school's safer recruitment policy.*
- Providing a high standard of experience for students in teaching and learning.
- Offering high quality student support.

THIS DOCUMENT:

- Offers **guidance, advice** and **warnings** to help all the adults associated with this school to do their best so that the school can achieve and maintain its aspiration¹.
- It should be read by **ALL** adults working in this school

¹ The guidance offered here is based on material provided by NCSL and NNIRSC and is acknowledged with thanks

INTRODUCTION

The vast majority of adults working with children and young people² in schools, act professionally. They seek to provide a safe and supportive environment that secures the well-being of, and the very best outcomes for, the children. It is recognised that achieving these aims is not always straightforward. Much relies on student and staff interactions where tensions and misunderstandings can occur. It is here that staff behaviours can give rise to allegations being made against them. Allegations may be genuine, malicious or misplaced. They may arise from different perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned.

This document is designed to give guidance about which behaviours constitute safe practice and which ones should be avoided. It seeks to ensure that the duty of care towards students and staff is promoted by raising awareness of illegal, unsafe and unwise behaviour as well as assisting staff to monitor their own standards and practice. It also makes it clear that unlawful and unsafe behaviour will not be tolerated and will have consequences.

The document cannot and does not attempt to cover every aspect and consequently in some circumstances further advice needs to be sought from senior colleagues.

The document is part of this school's safeguarding children and safer recruitment strategies.

UNDER PINNING PRINCIPLES

- The welfare of the child is paramount (Children Act 1989).
- All staff should know the name of their designated person for child protection, be familiar with local child protection arrangements and understand their responsibilities to safeguard and protect children and young people.
- Staff are responsible for their own actions and behaviour and should avoid any conduct that would lead any reasonable person to question their motivation and intentions.
- Staff should work, and be seen to work, in an open and transparent way and raise matters quickly with a senior colleague if they are unsure.
- The school should have a proper means in place for keeping appropriate records of incidents and consequent decisions.
- Staff should apply the same professional standards regardless of gender or sexuality.
- Staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

² Those up to 18 years old in this context

ISSUES and ADVICE

| The Issue | This means that adults should: |
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| <p><i>Duty of Care</i></p> <ul style="list-style-type: none"> ▪ Those working in schools are accountable for the way in which they exercise authority; manage risk; use resources; and protect pupils from discrimination and avoidable harm. ▪ All staff, paid and voluntary, have a duty to keep young people safe and protect them from physical and emotional harm. ▪ This duty is in part exercised through the development of respectful, caring and professional relationships between staff and pupils and behaviour by staff that demonstrates integrity, maturity and good judgement. ▪ Local authorities, schools and parents have legitimate expectations about the nature of professional involvement in the lives of pupils. When an individual accepts a role that involves working with children and young people, he or she needs to understand and acknowledge the responsibilities and trust inherent in that role. | <ul style="list-style-type: none"> ▪ Understand the responsibilities that are part of their employment or role and any consequences that might follow if the provisions are breached. ▪ Always act, and be seen to act, in the child's best interest. ▪ Avoid any conduct that would lead any reasonable person to question their motivation and intentions. ▪ Take responsibility for their own actions. |
| <p><i>Professional judgement</i></p> <ul style="list-style-type: none"> ▪ This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight however, behaviour that is illegal, inappropriate or inadvisable. There will be occasions and circumstances in which staff have to make decisions or take action in the best interests of the child or young person which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge and in so doing, will be seen to be acting reasonably. | <ul style="list-style-type: none"> ▪ Discuss the circumstances that informed their action, or proposed action, with a senior colleague. ▪ Always discuss any misunderstandings, accidents or threats with a senior manager. ▪ Always record discussions and actions taken with the reasoning that lay behind them. |
| <p><i>Power and Positions of Trust</i></p> <ul style="list-style-type: none"> ▪ As a result of their knowledge, position or the authority invested in their role, all adults working with children and young people in education settings are in positions of trust in relation to the young people in their care. ▪ A relationship between a member of staff and a pupil cannot be a relationship | <ul style="list-style-type: none"> ▪ Not use their position to gain access to information for their own advantage or a child or family's detriment. ▪ Not use their power to intimidate, threaten, coerce or undermine pupils. |

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| <p>between equals. There is potential for exploitation and harm of vulnerable young people and staff has a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.</p> <ul style="list-style-type: none"> ▪ Wherever possible, members of staff should avoid behaviour that might be misinterpreted by others, and report and record any incident with this potential. ▪ Where a person aged 18 or over is in a position of trust with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity. | <ul style="list-style-type: none"> ▪ Not use their status and standing to form or promote relationships with children that are of a sexual nature. |
| <p>Confidentiality</p> <ul style="list-style-type: none"> ▪ Members of staff may have access to confidential information about pupils in order to undertake their everyday responsibilities. In some circumstances staff may be given additional highly sensitive or private information. They should never use confidential or personal information about a pupil or his or her 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 pupil. Confidential information about a child or young person should never be used casually in conversation or shared with any person other than on a need to know basis. In circumstances where the child's identity does not need to be disclosed the information should be used anonymously. ▪ There are some circumstances in which a member of staff may be expected to share information about a child, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay, but only to those with designated child protection responsibilities. ▪ 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 member of staff. ▪ Any media or legal enquiries should be passed to senior management. | <ul style="list-style-type: none"> ▪ Treat information they receive about children and young people in a discreet and confidential manner. ▪ Seek advice from a more senior colleague if there is any doubt about sharing information, which they may hold. ▪ Be cautious when passing information to others about a child. |

Propriety and Behaviour

- All members of staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people.
- They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, pupils and the public in general.
- An individual's behaviour, either in or out of the workplace, should not compromise her or his position within the work setting.

The General Teaching Council for England's (GTCE) Code of Professional Values and Practice, which is now embodied within the standards for Qualified Teacher Status, recognises that "Teachers support the place of the school in the community and appreciate the importance of their own professional status in society. They recognise that professionalism involves using judgement over appropriate standards of personal behaviour".

- **Not** behave in a manner that would any reasonable person to question their suitability to work with children or act as a role model.
- **Not** make sexual remarks to a pupil (including by email, text, phone or letter).
- **Not** discuss their own sexual relationships with, or in the presence of, pupils.
- **Not** discuss a pupil's sexual relationship in inappropriate settings or contexts.
- **Not** make (or encourage others to make) unprofessional personal comments that scapegoat, demean or humiliate, or might be interpreted as such.

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| <p><i>Dress and Appearance</i></p> <ul style="list-style-type: none"> ▪ Although a person's dress and appearance are matters of personal taste staff should consider the manner of dress and appearance appropriate to their professional role and this may be different to that adopted in their personal life. ▪ Staff should dress decently, safely and appropriately for the tasks they undertake. Those that do not could render themselves vulnerable to criticism or allegation. | <ul style="list-style-type: none"> ▪ Wear clothing that – <ul style="list-style-type: none"> ○ Promotes a positive and professional image. ○ Is appropriate to their role. ○ Is not likely to be viewed as offensive, revealing, or sexually provocative. ○ Does not distract, cause embarrassment or give rise to misunderstanding ○ Is absent of any political or otherwise contentious slogan. ○ Is not considered to be discriminatory. |
| <p><i>Gifts</i></p> <ul style="list-style-type: none"> ▪ It is against the law for any public servant to take bribes. Staff need to take care that they do not accept any gift that could be construed as a bribe. ▪ Small tokens of appreciation are acceptable however gifts given on a regular basis and of significant value would be unacceptable. ▪ Any reward or gift given to a pupil should be consistent with the agreed practice in the school in order to avoid any criticism of favouritism. | <ul style="list-style-type: none"> ▪ Ensure gifts received or given in situations that might be misconstrued are declared. ▪ Generally, only give gifts to individual pupils as part of an agreed reward system. ▪ Where gifts are given other than above these are of insignificant value and given to all children equally. |
| <p><i>Infatuations</i></p> <ul style="list-style-type: none"> ▪ Staff need to be aware that it is not uncommon for pupils to be strongly attracted to a member of staff or to develop a heterosexual or homosexual infatuation. All situations should be responded to sensitively to maintain the dignity of all concerned. ▪ Staff should also be aware that such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against staff. ▪ A member of staff who becomes aware that a pupil may be infatuated with him or her or a colleague should discuss this at the earliest opportunity with a senior colleague so that appropriate action can be taken. In this way, steps can be taken to avoid hurt and distress for all concerned. | <ul style="list-style-type: none"> ▪ Report any indications (verbal, written or physical) that suggest a pupil may be infatuated with a member of staff. |

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| <p>Social Contact</p> <ul style="list-style-type: none"> ▪ Staff should not establish or seek to establish social contact with pupils for the purpose of securing a friendship or to pursue or strengthen a relationship. ▪ Even if a young person seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her or his professional judgement in making a response and be aware that such social contact could be misconstrued. ▪ Staff should not give their personal details such as home or mobile phone number; home or email address to pupils unless the need to do so is agreed with senior management. ▪ Internal email systems should be used only in accordance with school policy. | <ul style="list-style-type: none"> ▪ Always approve any planned social contact with children with senior colleagues, for example when it is part of a reward scheme or pastoral care programme. ▪ Advise senior management of any regular social contact they have with a pupil that might be misconstrued. ▪ Report and record any situation that they feel might compromise the school or their own professional standing |
| <p>Physical Contact</p> <ul style="list-style-type: none"> ▪ 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. ▪ A no-touch approach is impractical for most staff and may in some circumstances be inappropriate. When physical contact is made with pupils this should be in response to their needs at the time, of limited duration and appropriate given their age, stage of development, gender, ethnicity and background. Appropriate physical contact in schools may occur most often with younger pupils. ▪ Staff should therefore, use their 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 recorded as soon as possible in the school's incident book and, if appropriate, a copy placed on the child's file. ▪ Physical contact that occurs regularly with an individual child or young person is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to pupils with SEN or physical disabilities). ▪ Any such contact should be the subject of an agreed and open school policy and subject to review. Where feasible, staff should seek the child's permission before | <ul style="list-style-type: none"> ▪ Be aware that even well intentioned physical contact may be misconstrued by the child or by anyone to whom this action is described. ▪ Never touch a child in a way that may be considered indecent. ▪ Always be prepared to explain actions and accept that all physical contact be open to scrutiny. ▪ Never indulge in horseplay, tickling or fun fights. ▪ School authorities should ensure that their means of record keeping is robust and up to date recording incident and outcomes. |

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| <p>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 that is acceptable to the child for the minimum time necessary.</p> <ul style="list-style-type: none"> ▪ Extra caution may be required where it is known that a child has suffered previous abuse or neglect. In the child's view, physical contact might be associated with such experiences and lead to staff being vulnerable to allegations of abuse. It is recognised that many such children are extremely needy and seek out inappropriate physical contact. In such circumstances staff should deter the child sensitively by helping them to understand the importance of personal boundaries. ▪ A general culture of limited touch should be adapted, as appropriate, to the individual requirements of each child. Children with special needs may require more physical contact to assist their everyday learning. The arrangements should be understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny. | |
| <p><i>PE and other activities that require physical contact</i></p> <ul style="list-style-type: none"> ▪ Some staff, for example, those who teach PE and games, or who offer music tuition, will on occasions have to initiate physical contact with pupils in order to support a child so they can perform a task safely, to demonstrate the use of a particular piece of equipment or an instrument or assist them with an exercise. This should be done with the pupil's agreement. ▪ Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment ▪ Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the child. | <ul style="list-style-type: none"> ▪ Consider alternatives, where it is anticipated that a pupil might misinterpret any such contact perhaps involving another member of staff, or less vulnerable pupil in the demonstration. ▪ Always explain to the pupil why contact is necessary and what form it will take. |
| <p><i>Showers and Changing</i></p> <ul style="list-style-type: none"> ▪ Young people are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard young people, satisfy health and safety considerations and ensure that bullying or teasing does not occur. This supervision should be appropriate to | <ul style="list-style-type: none"> ▪ Avoid any physical contact when children are in a state of undress ▪ Avoid any visually intrusive behaviour ▪ Announce their intention of entering a changing room. |

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| <p>the needs and age of the young people concerned and sensitive to the potential for embarrassment.</p> <ul style="list-style-type: none"> ▪ Members of staff, therefore, need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the pupils. | <ul style="list-style-type: none"> ▪ NEVER change in the same place as children. ▪ NEVER shower with children |
| <p><i>Behaviour management</i></p> <ul style="list-style-type: none"> ▪ All pupils have a right to be treated with respect and dignity. Corporal punishment is unlawful in all schools. Equally, staff should not use any form of degrading treatment to punish a pupil. The use of humour can help to defuse a situation. The use of sarcasm, demeaning or insensitive comments towards pupils is not acceptable in any situation. | <ul style="list-style-type: none"> ▪ Not use force as a form of punishment ▪ Try to defuse situations before they escalate ▪ Keep parents informed of sanctions ▪ Adhere to the school's behaviour management protocols |
| <p><i>Care, Control and Physical Intervention</i></p> <ul style="list-style-type: none"> ▪ The circumstances in which staff can intervene with a pupil are covered by the 1996 Education Act. ▪ Staff may legitimately intervene to prevent a pupil from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. ▪ Staff should have regard to the health and safety of themselves and others. ▪ This is a complex area and staff must be cautious. ▪ Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence. ▪ In all cases where physical intervention is deemed necessary, the incident and subsequent actions should be documented and reported. | <ul style="list-style-type: none"> ▪ Inform senior colleagues immediately if they become involved in this kind of situation. |

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| <p><i>Pupils in distress</i></p> <ul style="list-style-type: none"> ▪ There may be occasions when a distressed pupil needs comfort and 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. | <ul style="list-style-type: none"> ▪ Consider the way in which they offer comfort to distressed pupils ▪ Always tell a colleague when and how they offered comfort to a distressed child ▪ Record situations that may give rise to concern |
| <p><i>Sexual contact with young people</i></p> <ul style="list-style-type: none"> ▪ Any sexual behaviour by a member of staff with or towards a child or young person is both inappropriate and illegal. Children and young people are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether the child or young person consents or not. This includes prohibitions on adults in a position of trust . ▪ There are occasions when adults embark on a course of behaviour known as 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 conferring special attention and favour upon a child might be construed as being part of a grooming process, which is an offence. | <ul style="list-style-type: none"> ▪ Not pursue sexual relationships with children and young people either in or out of school. ▪ Avoid any form of communication with a child or young person that could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes email, phone calls, texts, physical contact |
| <p><i>One-to one situations</i></p> <ul style="list-style-type: none"> ▪ Staff working in one-to-one situations (eg photographic darkrooms, counselling rooms) with children and young people may be more vulnerable to allegations. Teachers and others should recognise this possibility and plan and conduct such meetings accordingly. Every attempt should be made to ensure the safety and security needs of both staff and pupils are met. ▪ Pre-arranged meetings with pupils away from the school premises should not be permitted unless approval is obtained from their parent and the Head Teacher or other senior colleague with delegated authority. | <ul style="list-style-type: none"> ▪ Avoid meetings with pupils in remote, secluded areas ▪ Ensure there is visual access or an open door in one-to-one situations ▪ Inform other staff prior to the meeting assessing the need to have them present or close by. ▪ Avoid the use of signs that give the impression of secrecy e.g. "engaged" ▪ Always report any situation where a child becomes distressed or angry in a meeting to a senior colleague. ▪ Consider the needs and circumstances of the child involved. |

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| <p><i>Transporting children</i></p> <ul style="list-style-type: none"> ▪ Generally speaking and whenever possible and practicable, transport should be undertaken other than in private vehicles. | <ul style="list-style-type: none"> ▪ Always liaise with the member of staff responsible for school risk assessment. ▪ Always discuss this matter and the range of risks associated with it with a senior colleague before undertaking or planning the use of a private vehicle. |
| <p><i>Educational visits and after school clubs</i></p> <ul style="list-style-type: none"> ▪ Staff should take particular care when supervising pupils in the less formal atmosphere of a residential setting or after-school activity. ▪ During school activities that take place off the school site or out of school hours, a more relaxed discipline or informal dress and language code may be acceptable. However, members of staff remain in a position of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship. ▪ Where out of school activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Pupils, staff and parents should be informed of these prior to the start of the trip. ▪ Health and Safety arrangements require members of staff to keep colleagues and employers aware of their whereabouts, especially when involved in an out of school activity. ▪ Staff must be aware of and follow guidance laid down by the school regarding trips and clubs. | <ul style="list-style-type: none"> ▪ Always have another adult present in out of school activities unless otherwise agreed by senior managers. ▪ Follow the school policy on risk assessment. ▪ Ensure parental consent has been gained. ▪ Ensure that behaviour remains professional at all times. |
| <p><i>Curriculum</i></p> <ul style="list-style-type: none"> ▪ Many areas of the curriculum can include or raise subject matter that is sexually explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity. ▪ The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to pupils' questions can require careful judgement and staff may wish to take guidance in these circumstances from a senior member of staff. | <ul style="list-style-type: none"> ▪ Have clear written lesson plans. ▪ Not enter into or encourage inappropriate or offensive discussion about sexual activity. ▪ Seek advice when not sure. |

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| <ul style="list-style-type: none"> ▪ Care should also be taken to abide by the governing body's required policy on sex and relationships education and the wishes of parents. | |
| <p>Photography, video and creative arts</p> <ul style="list-style-type: none"> ▪ Many school activities involve recording images. These may be undertaken as part of the curriculum, extra school activities, for publicity, or to celebrate achievement. ▪ Staff need to be aware of the potential for these aspects of teaching to be misused for pornographic or grooming purposes. Careful consideration should be given as to how these activities are organised and undertaken. Particular regard needs to be given when they involve young or vulnerable pupils who may be unable to question why or how the activities are taking place. ▪ Children who have been previously abused in this way may feel threatened by the use of photography, filming etc in the teaching environment. ▪ Staff should remain sensitive to any children who appear uncomfortable and should recognise the potential for misinterpretation. ▪ Using images of children for publicity purposes will require the age appropriate consent of the individual concerned and their legal guardians. ▪ Images should not be displayed on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the school have access. | <ul style="list-style-type: none"> ▪ Be clear about the purpose of the activity and about what will happen to the photographs when the lesson or activity is concluded. ▪ Ensure that all images are available for scrutiny ▪ Be able to justify images of children in their possession. ▪ Avoid making images in one-to-one situations. ▪ Ensure that consent is recorded when appropriate. |
| <p>Internet Use</p> <ul style="list-style-type: none"> ▪ Under no circumstances should adults in school access inappropriate images. ▪ Accessing child pornography or indecent images of children on the internet, and making, storing or disseminating such material, is illegal and, if proven, will invariably lead to the individual being barred from work with children and young people. ▪ Using school or college equipment to access inappropriate or indecent material, including adult pornography, is likely to give cause for concern particularly if as a result pupils might be exposed to inappropriate or indecent material. | <ul style="list-style-type: none"> ▪ Follow the school's policy on the use of IT equipment. |

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| <p>Miscellaneous</p> <ul style="list-style-type: none"> ▪ First Aid ▪ Intimate care | <ul style="list-style-type: none"> ▪ Refer to the school's policy and guidelines on these matters and seek advice from the appropriate member of staff. |
| <p>Whistle blowing</p> <ul style="list-style-type: none"> ▪ Staff should acknowledge their individual responsibilities to bring matters of concern to the attention of senior management or relevant external agencies. ▪ This is particularly important where the welfare of children may be at risk. | <ul style="list-style-type: none"> ▪ Be aware of the detail of the school's "whistle blowing" policy ▪ Report any behaviour by colleagues that raises concern. |

All adults working in education settings should know the name of the school's designated teacher for child protection, or the equivalent individual, and know and follow relevant child protection policy and procedures. All members of staff have a duty to report any child protection concerns to their designated person for child protection.