



## Code of Conduct

The Willows Preschool recognises that it has a duty of care towards its employees to provide a safe working environment for staff.

### Policy statement

The Willows Preschool is committed to positive academic, social and emotional outcomes for our children, underpinned by a strong safeguarding ethos. We are equally committed to the welfare of our staff, who are expected to adhere to the highest standards of professional behaviour.

The Trustees will make sure that this code of conduct is in line with national and local requirements to protect and support the children and adults in our setting. We will fulfil our local and national responsibilities as laid out in the following key documents/plans:

- Working Together to Safeguard Children (2015)
- Early Years Foundation Stage Statutory Framework (2017)
- The procedures of WSVPP (2020)

See Appendix 1 for further relevant guidance documents

This code is based on the Guidance for Safer Working Practice for those working with children and young people in education settings (October 2015) that was adapted and updated by the Safer Recruitment Consortium from an original IRSC/ DfE document.

The code of conduct aims to provide a guide for adults about acceptable and desirable conduct to ensure that staff maintain safe working practice and so **safeguard both adults and children.**

This code does not provide a complete checklist of appropriate behaviour for staff in every circumstance. Staff must make judgements about their behaviour to secure the best interests and welfare of the children in their charge and, in so doing, will be seen to be acting reasonably.

In very exceptional circumstances where a member of staff believes it is the best interest of a child to breach these guidelines, that person must tell the Manager/DSL/DDSL of the justification for any proposed, or action already taken, at the earliest opportunity. The Manager/DSL/DDSL will make a written record of that discussion including any areas of disagreement and actions taken.

While it is not our policy to care for sick children, who should be at home until they are well enough to return to the setting, we will agree to administer medication as part of maintaining their health and well-being or when they are recovering from an illness.

In many cases, it is possible for children's GP's to prescribe medicine that can be taken at home in the morning and evening. As far as possible, administering medicines will only be done where it would be detrimental to the child's health if not given in the setting. If a child has not had a medication before, especially a baby/child under two, it is advised that the parent keeps the child at home for the

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first 48 hours to ensure no adverse effect as well as to give time for the medication to take effect.

The key person is responsible for the correct administration of medication to children for whom they are the key person. This includes ensuring that parent consent forms have been completed, that medicines are stored correctly and that records are kept according to procedures. In the absence of the key person, the manager is responsible for the overseeing of administering medication.

This code of conduct is consistent with all other policies adopted by the Trustees and should be read alongside the Child Protection and Safeguarding policy as well as the following documents relevant to the safety and welfare of our children:

- Health and Safety policy
- Children's Records Policy
- Achieving Positive Behaviour policy
- Supervision of Children on Outings and Visits Policy
- Whistleblowing Section of the Safeguarding Children and Child Protection Policy
- Supporting Children with Special Educational Needs Policy
- Administering Medicines Policy
- Provider Records Policy

This code of conduct applies to all staff and volunteers working at our setting. For the purposes of this policy 'staff' refers to all those working at the setting, full time or part time, in a paid or voluntary capacity. A volunteer is a person who performs an activity that involves spending time, unpaid in this setting (except for approved expenses). It does not apply to employees of external contractors and providers of services. Such staff are covered by the relevant Code of Conduct of their employing body.

All staff:

- are familiar with this code of conduct and have an opportunity to contribute to its review.
- understand their responsibilities to safeguard and promote the welfare of children.
- are aware that failure to meet the standards of behaviour and conduct in this code may result in disciplinary action. This includes dismissal, criminal action and/or other proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity.

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## Rights and responsibilities

Staff have a right to:

- be treated fairly
- be valued for the efforts/ strengths of their work and receive support in areas that need developing
- work in an atmosphere of mutual respect
- work in a clean, safe, secure, stimulating and well organised workplace
- be listened to and for views to be respected
- be appropriately informed through open channels of communication
- have a workload that is conducive to a healthy work-life balance

Staff have a responsibility to:

- put children at the centre of all that they do
- contribute to a range of setting policies and procedures reviews as required
- listen to and respect the opinions of others
- support the development of colleagues
- arrive on time for work/events/activities suitably dressed
- contribute as appropriate to keeping the workplace safe, secure, stimulating and well organised
- challenge unprofessional behaviour and prejudice in the workplace in an appropriate manner

## **Procedures**

### Confidentiality

The sorting and processing of personal information is governed by The Data Protection Act 1998 – see Children's Records Policy, Provider Records Policy and Transfer of records to School Policy.

Child records are shared only with those who have a professional need to see them. When staff have access to confidential information about colleagues, children or their parents or carers, they must treat such information in a sensitive and confidential way, sharing it only in the interests of a child and when legally permitted to do so.

If a member of staff is concerned that a child is being abused, is at risk of being abused or may have been abused in the past, they will follow the agreed procedure set out in the flowchart 'what to do if you are worried about a child', displayed in setting entrance hall. See Safeguarding and Child Protection Policy.

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If a member of staff is ever in any doubt about whether to share information or not, they should get advice from the Designated Safeguarding Lead.

### Staff relationships with children

*Power and positions of trust and authority:*

A position of trust is one in which one party is in a position of power or influence over another, due to their work or the nature of their activity.

### Staff responsibilities

All staff know that:

- they are in positions of trust in relation to all children on roll. They ensure that the power imbalance is never used for personal advantage or gratification. They avoid behaviour which might be interpreted by others as an abuse of the position of trust, and report any incident with this potential to the Manager/DSL/DDSL.
- they have a legal duty to protect the interests of children and accept the obligations inherent in that responsibility.
- they must not establish or seek to establish social contact with children to secure a friendship or to pursue or strengthen a relationship.
- they must inform the Manager/DSL/DDSL of any pre-existing (from before the member of staff or child starts at the setting) or new relationship with a child or close family member, which they feel, might compromise the setting or their own professional standing.
- it is an offence (Sexual Offences Act 2003) for a member of staff in a position of trust to engage in any form of sexual activity with a child under the age of 18.

Certain behaviours are at odds with a position of trust. These include, but are not limited to:

- Harassment or discrimination based on any characteristic protected by the Equality Act 2010
- Loss of personal civility including, personal attacks or insults, displays of temper (such as throwing objects), unwanted physical contact (pushing, shoving, hitting) or the threat of the same. Such behaviours are disciplinary offences and may be referred to Local Authority and/or the police.

### Social contact outside of the workplace

Staff must use their professional judgement when requesting or accepting any social contact (including through social media). Any contact that is deemed to bring the

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setting into disrepute or that might lead a reasonable person to question the staff member's motivation or intentions will always be investigated and could lead to disciplinary action.

### Gifts, rewards, favouritism and exclusion

Staff must:

- declare any gift they receive from a parent or child. This does not include small tokens of appreciation such as at Christmas or the end of the year.
- advise the manager about the offer of any gift or hospitality, from outside or inside the setting, which might be interpreted as an attempt to influence
  - staff conduct towards children, parents or other employees or
  - a decision around provision of a service.

Leavers gifts are given to children on behalf of the preschool and only when the children are leaving to transition to school. Each child is given a birthday gift over the year by the preschool. No other gifts are given to the children at any other time.

### Physical contact including intimate/personal care

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. Any physical contact will be in response to the child's needs, of limited duration and appropriate to their age, stage of development, gender, background and any agreed support or care plan (see Supporting Children with Special Educational Needs policy, Administering Medicines policy, Nappy Changing policy and Achieving Positive Behaviour policy).

Staff understand that:

- on a daily basis, it may be entirely appropriate and proper for staff to have physical contact with children and that they only do so in ways appropriate to their professional role and in relation to the child's individual needs.
- some children are more comfortable with touch than others and/or may be more comfortable with touch from some adults than others. Whenever possible, adults seek the child's permission before initiating contact and are sensitive to any signs that the child may be uncomfortable or embarrassed.
- they have a responsibility to ensure the way they offer comfort to a distressed child is age appropriate never touch a child in a way which may represent a misuse of authority.
- physical contact must never be secretive, or for the gratification of the adult.

If a member of staff believes that an action by them or a colleague could be misinterpreted, or if an action is observed which is possibly abusive, the incident and

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circumstances will be immediately reported to the manager/DSL and recorded in writing. If appropriate, the manager will consult with the Designated Officer for Allegations (DOfA).

Staff understand that a child who has suffered previous abuse or neglect may associate physical contact with such experiences. They recognise that such a child may seek out inappropriate physical contact and know to deter the child sensitively to help them to understand the importance of personal boundaries. Staff know that they must never indulge in play that involves rough-and-tumble or fun fights.

Children with disabilities may require more physical contact to assist their everyday learning. The arrangements are understood and agreed by all concerned, justified in terms of the child's needs, consistently applied and open to scrutiny. Staff always allow/encourage children, where able, to undertake self-care tasks independently.

If a child's behaviour presents a serious risk to themselves or others, a robust risk assessment and, where relevant, a physical intervention plan is always put in place and reviewed regularly. In all cases where physical intervention takes place, staff record the incident and subsequent actions and report these to the designated safeguarding lead/manager and the child's parents.

#### Appropriate use of language

We must behave in a mature, respectful, safe, fair and considered manner at all time. We do not use language that belittles or mocks a child, including the use of rhetoric questioning. Slang and swear words are not used in the preschool. Parents who do so will be asked to refrain. We do not use racist language or homophobic, or sexist. Adults act as good role models to the children attending.

#### One to one situations

Staff carefully consider the welfare needs of children when with them in a one to one situation. All spaces in the setting are set up to allow any activity to be easily observed by other staff in the setting. Windows and doors are kept clear from display materials to allow rooms to be overlooked.

#### Home visits and transporting children

All work with children and parents/carers is whenever possible undertaken in the setting. The Willows does not undertake any home visits.

Any member of staff transporting a child in their own vehicle will:

- have prior written permission from parents and the setting manager
- have the appropriate vehicle insurance for business use
- have the correct ratio of children/adults

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- ensure that all passengers wear seat belts
- ensure booster seats are used according to the current legislation

### Dress and Appearance

Staff are provided with a uniform which they are expected to wear whilst working in the preschool room. This includes green T-shirts with The Willows Logo on. Black trousers or knee length shorts should be worn. Long sleeved tops may be worn under polo shirts. Shoes should be practical and flat. Jewellery is permitted if it does not hinder duties or pose a health and safety risk. Long hair must be tied back, Students should wear their designated college/school uniform; work experience students may wear their own clothes (trousers/knee length shorts, t shirt or sweatshirt, no large logos) or use one of the polo shirts in the office.

### First Aid and medication

Staff will follow the setting policies and procedures and the Statutory Framework for the Early Years Foundation Stage in respect of the administration of first aid and medication.

### The acceptable use of technologies

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

Staff must exercise caution in their use of all social media or any other web based presence that they may have, including written content, videos or photographs, and views expressed either directly or by association with websites/pages or posts established by others (eg 'liking', reposting or forwarding). This includes the use of dating websites where staff could encounter parents either with their own profile or acting covertly.

The Willows has a Facebook page which is a private group and is overseen by a member of staff/chairperson. There is also a community page which is open to users.

Staff and committee of The Willows have agreed that staff may accept Facebook friend requests from parents if they choose to do so. It is understood that parents who send a request should understand that the staff timeline is separate from their working life. Staff should not use Facebook, or other social media, as a platform to criticise their setting or working conditions. They should not feel obliged to accept requests. Staff may choose to befriend other staff on social media as long as they are mindful of working/professional relationships.

### Photography and recording

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Staff are not permitted to not use their phones, cameras or any device that can be used for photographing or recording children, when on duty for any purpose. Phones are kept in the designated area – a box in a locked office. Any pictures taken of children by the setting will be in accordance to the setting's 'Use of mobile phone and cameras policy'.

### Communication with parents/carers

Expectations for all adults: to be polite, respectful and courteous when communicating with anyone. The Willows will not tolerate aggressive or threatening language or behaviour.

### Whistleblowing

Staff have a duty to report any concerns regarding, fraud, or misconduct by staff or trustees. All staff within the setting who need to raise issues relating to the organisation with someone in confidence can use the following whistleblowing procedures. Staff will report any concerns to their line manager or will contact the Whistleblowing Advice Line (NSPCC 0800 028 0285 email [help@nspcc.org.uk](mailto:help@nspcc.org.uk)) if:

- they think the concern will not be dealt with properly or
- may be covered up or
- if they raised a concern but it has not been acted upon or
- if they are worried they are being treated unfairly

Any matter raised will be investigated confidentially, thoroughly and promptly. The outcome of the investigation will be reported back to the person raising a concern. Staff will not be victimised for whistleblowing using these procedures. Their continued employment and prospects for future promotion or training will not be prejudiced because they have raised a legitimate concern.

## **Related legislation and key documents**

**Children Act 1989 (and 2004 update):** The Children Act 1989 gives every child the right to protection from abuse and exploitation and the right to have enquires made to safeguard his or her welfare. The Act place duties on a number of agencies, including Settings, to assist Social Services departments acting on behalf of children and young people in need (s17) or enquiring into allegations of child abuse (s47).

**Education Act 2002** - This requires Settings to make arrangements to safeguard and promote the welfare of children and to have regard to guidance issued by the Secretary of State for Education.

### **Equality Act 2010**

**Sexual Offences Act 2003** - This act sets out an offence of 'abuse of trust' - a sexual or otherwise inappropriate relationship between an adult who is responsible for young people and a young person in his/her care.

**Information Sharing** – Department for Education (DfE) Advice for practitioners providing safeguarding services to children, young people, parents and carers 2015 This advice is for all frontline practitioners and senior managers working with children, young people, parents and carers who have to make decisions about sharing personal information on a case by case basis.

**Counter-Terrorism and Security Act 2015** (the CTSA 2015), section 26 requires all Settings, in the exercise of their functions, to have “due regard to the need to prevent people from being drawn into terrorism”. This duty is known as the Prevent duty.

**The Safeguarding Vulnerable Groups Act (2006)** Section 53(3) and (4) of this applies to Settings if they broker student accommodation with host families for which the host family receives a payment from a third party, such as a language Setting. At a future date, the regulated activity provider will have a duty to carry out a barred list check on any new carer – section 34ZA Safeguarding Vulnerable Groups Act 2006.