



**Guidance for Safer Working Practices for Adults who work with Children
and Young People Within the Children's Services Authority
North Tyneside Council**

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(Acknowledgement: This guidance has been written in line with the IRSC (Supporting Staff Safeguarding Children) Guidance for Safe Working Practice for the Protection of Children and Staff in Education Settings, produced by the National Network of Investigation and Referral Support Co-ordinators established by DFES)

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I. Definitions

Throughout this document references are made to “children” and “young people”. These terms are interchangeable. All refer to children up to the age of 19 years.

For ease of reading references are often made to the “school”. This term is interchangeable with all other types of educational establishments e.g. FE Institutions, Sixth Form Colleges, Pupil Referral Units, Residential Settings and other education provision.

References to “staff” or “adults” include teachers, learning support assistants, other staff/governors, and volunteers working in or on behalf of a Local Authority, a school, an FE institution or other education setting, in either a paid or unpaid capacity.

The term “allegation” means any information that suggests an adult has caused or may cause hurt or harm to a child or young person.

II Overview

The vast majority of adults who work with children in education settings act professionally. They seek to provide a safe and supportive environment, which secures the well-being and very best outcomes for children and young people in their care. It is recognised that achieving these aims is not always straightforward. Much relies on children, young people 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 differing perceptions of the same event, but when they occur, they are inevitably distressing and difficult for all concerned.

This document provides clearer advice about what constitutes illegal behaviour and what might be considered as misconduct. The document aims to give practical guidance about which behaviours constitute safe practice and which behaviours should be avoided. The document seeks to ensure that the duty of care towards children, young people and staff is promoted by raising awareness of illegal, unsafe and unwise behaviour. It is hoped that it will also assist staff to monitor their own standards and practice and avoid placing themselves in vulnerable situations.

The guidance will support employers in giving a clear message that unlawful or unsafe behaviour will not be tolerated and that, where appropriate, legal or disciplinary action is likely to follow.

Whilst every attempt has been made to cover a wide range of situations, it is recognised that any such guidance cannot cover all eventualities. There may be times when professional judgements are made in situations not covered by this document. It is expected that in these circumstances staff will always work with their senior colleagues to ensure that appropriate action is taken.

This document has been drafted as a general guide and may not specifically address the varying needs of all students/age groups, it may therefore be necessary for Schools to produce some additional guidance as appropriate.

This document should be read in conjunction with North Tyneside Local Safeguarding Children Board Child Protection Policy, Allegations against Staff Policy, Carers and Volunteers Guidance and the appropriate advice/guidance given within child protection training.

Finally, although the document has been written primarily for people working with children and young people in education settings, it could be adapted for use in other settings, e.g. youth work.

III Underpinning Principles

- The welfare of the child or young person is paramount (Children Act 1989).
- Staffs 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.
- Staff should work, and be seen to work in an open and transparent way.
- Staff should discuss and/or take advice promptly from their line manager or another senior member of staff over any incident, which may give rise to concern.
- Records should be made of any such incident and of decisions made/further actions agree, in accordance with the agreed policy for keeping and maintaining records.
- Staff should apply the same professional standards regardless of gender or sexuality.
- 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 should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.
- This document needs to be considered within the over all Every Child Matters agenda and in particular the outcomes in relation to Staying Safe and North Tyneside's own sixth outcome, Be Spirited.
- The underpinning principles of this document should be considered within North Tyneside's Children and Young People's Plan and the principles contained therein:
 - **Come first:** the challenge for all those involved in delivering children's services is to see through the eyes of the child and understand what would make a difference to their world and life chances and in so doing to put children's rights, needs, views and best interests at the centre of our planning.
 - **Have a right to be recognised as people with views and interests:** children and young people should not be viewed as objects to

which we deliver services. They have a right to be listened to, to participate in decision-making and to make their own investment and contribution to achieving outcomes for themselves.

- **Have a right to be protected from harm and discrimination:** children and young people should be able to live in an environment in which they are safe and secure and in which they are free from harassment, bullying and discrimination. They are entitled to special care and protection if they cannot live with their parents.
- **Have a right to develop as curious, enthusiastic and autonomous learners** by experiencing stable and stimulating teaching and learning which nurtures their individual talents, confident and zest for learning and challenges them to be the best they can be.
- **Have a right to the best health possible and to medical care** through the provision of community based support services and specialised intervention when necessary.
- **Have a right to live and play in a safe and healthy environment,** which provides a whole range of opportunities for personal and social development, recreational and cultural activity, creative self-expression and independent play.
- **Have a right to an identity,** to know and be proud of their history and cultural heritage.
- **Should have the opportunity to grow up in a family and a community:** children and young people have the right to be able to depend upon adults to provide the conditions which enable them to gain self-esteem, dignity and self-confidence and respect for others and for their environment.

In addition:

- **Parents, carers and communities need to be supported in promoting the interests and welfare of their children:** children need strong adults upon whom they can depend to provide love, security and the resources to enable them to be secure and to thrive. Focusing services on the whole child can only be achieved by building the capacity of parents, families and communities. Our services will be rooted in local community infrastructures, champion learning for all and provide real choice for families, particularly those on low incomes.
- **Never give up:** no child should be viewed as a lost cause and services should never give up on trying to create new beginnings for children and young people who are in danger of being left behind.

Guidance for Safer Working Practices for Adults who work with Children and Young People

1. Introduction

Staffs have a crucial role to play in shaping the lives of young people. They have a unique opportunity to interact with children and young people in ways that are both affirming and inspiring. This guidance has been produced to help staff establish the safest possible learning and working environments. The aims are to safeguard young people and reduce the risk of staff being falsely accused of improper or unprofessional conduct.

2. Status of Document

This guidance has been produced with reference to

- IRSC (Supporting Staff Safeguarding Children) Guidance for Safe Working Practice for the Protection of Children and Staff in Education Settings February 2005.
- Section 175 of the Education Act 2002
- Safeguarding Children and Safer Recruitment in Education January 2007
- Every Child Matters
- North Tyneside Local Safeguarding Children Board Child Protection Procedures
- Childrens Act 1999 & Childrens Act 2004

It does not replace or take priority over advice or codes of conduct produced by the Local Authority or other sources.

3. Duty of Care

All staff is accountable for the way in which they exercise authority; manage risk; use resources; protect children and young people from discrimination and avoidable harm.

All staff, whether paid or voluntary, has a duty to keep young people safe and to protect them from physical and emotional harm. This duty is in part exercised through the development of respectful, caring and professional relations between staff and children and young people, and behaviour by staffs that demonstrate integrity, maturity and good judgement.

Local Authorities, schools and parents have legitimate expectations about the nature of professional involvement in the lives of children and young people. When individuals accept a role that involves working with children and young people, they need to understand and acknowledge the responsibilities and trust inherent in that role.

Employers have a duty of care towards their employees under the Health & Safety at Work Act 1974 (Part 1, Section 2(1) and (2)) which require them to provide a safe working environment for staff and guidance about safe working practices. The Act also imposes a duty on employees (Part 1, Section 7) to take care of them and anyone else who may be affected by their actions or failings. In this respect, the duty of care towards both staff and children can be demonstrated through the use of these guidelines.

An employer's duty of care and the staff duty of care towards children and young people should not conflict.

4. Exercise of Professional Judgement

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 and young people in their charge and in so doing, will be seen to be acting reasonably.

5. Power and Positions of Trust

As a result of their knowledge, position and/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 child or young person cannot be relationship between equals. There is potential for exploitation and harm of vulnerable young people and staffs have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Wherever possible, staff should avoid behaviour, which 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 or young person under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child or young person, or to cause or incite that child or young person to engage in or watch sexual activity.

6. Confidentiality

Members of staff may have access to confidential information about children and young people in order to undertake their every day responsibilities. In some circumstances staff may be given additional highly sensitive or private information.

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

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 or young person'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 or young person, 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.

The storing and processing of personal information about children and young people is governed by the Data Protection Act 1998. Employers should provide clear advice to staff about their responsibilities under this legislation.

The booklet "What To Do If You're Worried A Child Is Being Abused" (Department for Education and Skills 2006) contains further guidance on sharing information to protect children. (www.everychildmatters.gov.uk/safeguardingchildren/index.htm)

7. Propriety and Behaviour

All staff has 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 both within and outside the workplace/environment in order to maintain the confidence and respect of their peers, pupils, children and young people under their care, and the public in general.

Part 2 of the Teacher Standards state that a teacher is expected to demonstrate consistently high standards of personal and professional conduct. This is achieved through defining the behaviour and attitudes which are the required standard for appropriate professional conduct throughout a teacher's career.

8. Dress and Appearance

A person's dress and appearance are matters of personal choice and self-expression. However, staff should consider the manner of dress and appearance appropriate to their professional role which may be different to that adopted in their personal life. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake. Those who dress or appear in a manner, which could be considered as inappropriate, could render themselves vulnerable to criticism or allegation.

Should schools wish to establish a dress code they should contact their link HR Advisor for guidance.

9. Personal Living Space

No child or young person should be in or invited into, the home of an adult who works with them, unless the reason for this has been firmly established and agreed with parents/ carers and senior managers or the home has been designated by the organisation or regulatory body as a work place e.g. childminders, foster carers.

It is not appropriate for any other organisations to expect or request that private living space be used for work with children and young people.

Under no circumstances should children or young people assist with chores or tasks in the home of an adult who works with them. Neither should they be asked to do so by friends or family of that adult.

Adults should:

- Be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations
- Challenge any request for their accommodation to be used as an additional resource for the organisation
- Be mindful of the need to maintain professional boundaries
- Refrain from asking children and young people to undertake personal jobs or errands.

10. Gifts

Staff should be aware of North Tyneside Council's guidance and/or school's policy including arrangements for the declaration of gifts received and given.

It is against the law for public servants to take bribes. Staff need to take care that they do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

There are occasions when children or parents wish to pass small tokens of appreciation to staff, e.g. at Christmas or as a thank-you, and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.

Similarly, it is inadvisable to give such personal gifts to children or young people. This could be misinterpreted as a gesture either to bribe, or single out the young person. It might be perceived that a 'favour' of some kind is expected in return.

Any reward given to a child or young person should be agreed practice within the establishment, consistent with the school's behaviour policy, recorded and not based on favouritism.

Should schools wish to establish a policy they should contact their link HR Advisor for guidance.

11. Infatuations

Staffs need to be aware that it is not uncommon for children and young people to be strongly attracted to a member of staff and/or 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 child or young person may be infatuated with himself or herself 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.

12. Communication with Children and Young People *(including the Use of Technology)*

Communication between children and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones text messaging, e-mails, digital cameras, videos, web-cams, websites and blogs. Adults should not share any personal information with a child or young person. They should not request, or respond to, any personal information from the child/young person, other than that which might be appropriate as part of their professional role. Adults should ensure that all communications are transparent and open to scrutiny

Adults should also be circumspect in their communications with children so as to avoid any possible misinterpretation of their motives or any behaviour, which could be construed as grooming. They should not give their personal contact details to children and young people including e-mail, home or mobile telephone numbers unless the need to do so is agreed with senior management and parents/carers. E-mail or text communications between an adult and a child young person outside agreed protocols may lead to disciplinary and/or criminal investigations. This also includes communications through Internet based web sites.

Internal e-mail systems should only be used in accordance with the organisations policy. An organisation should have a communication policy, which specifies acceptable and permissible modes of communication.

Adults should:

- Not give their personal contact details to children or young people, including their mobile telephone number

- Only use equipment e.g. mobile phones, provided by organisation to communicate with children, making sure that parents have given permission for this form of communication to be used
- Only make contact with children for professional reasons and in accordance with any organisation policy
- Recognise that text messaging is rarely an appropriate response to a child in a crisis situation or at risk of harm. It should only be used as a last resort when other forms of communication are not possible
- Not use Internet or web-based communication channels to send personal messages to a child/young person.

12a Social Networking Sites

It is advised that all staff uphold the law and maintain a good standard of behaviour both inside and outside of school; both online and offline. The content in cyberspace does not elude the law – a posting in the public domain can still constitute a defamatory publication. Employers can take disciplinary action if they can prove your conduct has caused detriment.

Staff should also note that they may lose respect in their post and defamation of character by placing things in the public eye that relate to their role or other members of staff.

Staff are advised in all instances to not disclose anything on social networking sites that are related or could be related back to their work.

If it is necessary to disclose information by these means it is advised to do so via private means and not for example, on a face book wall.

Propriety and Behaviour

- Placing images and videos of themselves on a public space on the internet such as 'You tube', or 'face book', which could show themselves or other members of council staff in a way which could damage the council's reputation should be avoided and the council will take seriously any action deemed to show a lacking in standards both online and off line.
- Discussing other members of staff or students in a negative fashion in a public space on the Internet goes against the 'Code of Conduct' and does not treat people with respect and courtesy.
- All staff have the responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people.

Communication with Children and Young People

- Communication between children and adults by whatever method should take place with clear and explicit professional boundaries.
- Staff should not share any personal information with any young people or children. They should not respond to requests or request any personal information from the child/young person, other than that which may be appropriate as part of their professional role
- Staff should ensure that all communications are transparent and open to scrutiny.

By adhering to these guidelines staff are not only protecting the reputation of the school but also their own reputation and chances for future employment

13. Social Contact

Staff should not establish or seek to establish social contact with children or young people 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 his/her professional judgement in making a response and be aware that such social contact could be misconstrued.

Staff should be aware that the social contact, which may occur with pupils, would vary depending upon the age of the pupils. Where this does occur staff are advised to exercise their professional judgement and if appropriate remove themselves from the setting.

Staff should not give their personal details such as home/mobile telephone number, home or e-mail address to children or young people unless the need to do so is agreed with senior management.

Internal e-mail systems should only be used in accordance with school/LA policy.

14. Physical Contact

There are occasions when it is entirely appropriate and proper for staff to have physical contact with children and young people, but it is crucial that they only do so in ways appropriate to their professional role.

A 'no touch' approach is impractical for most staff and may in some circumstances be inappropriate. When physical contact is made with a child or young person 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 children but staffs still need to be aware:

- Even well intentioned physical contact may be misconstrued by the child, an observer or by anyone to whom this action is described
- Never touch a child in a way which may be considered indecent
- Always be prepared to explain actions and accept that all physical contact is open to scrutiny
- Never indulge in horseplay, tickling or fun fights.

It is impossible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child in on set of circumstances may be inappropriate in another, or with a different child. 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 schools incident book and, if appropriate, a copy placed on the child or young person's file.

Physical contact, which 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 children and young people 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 initiating contact. Staff should listen, observe and take note of the child's reaction of feelings and – so far as is possible – use a level of contact which is acceptable to the child for the minimum time necessary.

Extra caution may be required where it is known that a child or young person 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.

The general culture of 'limited touch' should be adapted, where appropriate, to the individual requirements of each child. Children and young people 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.

15. Physical Education and other activities, which require physical contact

Some staff, for example, those who teach PE and games, or who offer music tuition will on occasions have to initiate physical contact with children and young people in order to support the child or young person so they can perform a task safely, to demonstrate the use of a particular piece of equipment/instrument or assist them with an exercise. This should be done with the child or young person's agreement.

Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment (see Section 19, one to one situations). Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the child or young person.

16. Showers and Changing

Young people are entitled to respect and privacy when changing clothes or taking a shower. However, their 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 do not occur. This supervision should be appropriate to the needs

including the age and gender of the young people concerned and sensitive to the potential for embarrassment.

This means that adults should:

- Avoid any physical contact when children or young people are in a state of undress
- Avoid any visually intrusive behaviour and, where there are changing rooms: announce their intention of entering; avoid remaining in the room unless children or young people's needs require it.

Staffs therefore need to be vigilant about their own behaviour, ensure they follow agreed guidelines and be mindful of the needs of the children or young people. This means that adults should not:

- Change in the same place as children or young people
- Shower with children or young people.

Please also refer to section 24 –Intimate Care.

17. Pupils in Distress

There may be occasions when a distressed child or young person 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. This means that adults should:

- Consider the way in which they offer comfort to a distressed child or young person
- Always tell a colleague when and how they offered comfort to a distressed child or young person
- Record situations, which may give, rise to concern.

Where a member of staff has a particular concern about the need to provide this type of care and reassurance, he/she should seek further advice from a senior manager.

18. Behaviour Management

All children and young people have a right to be treated with respect and dignity. Staff should not use any form of degrading treatment to punish a child or young person. The use of sarcasm, demeaning or insensitive comments towards a child or young person is not acceptable in any situation.

Where staff require further clarification, they should refer to the school's behaviour management policy.

19. Care, Control and Physical Intervention

The 1996 Education Act covers the circumstances in which staff can intervene with a child or young person. 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 have regard to the school's policy on physical restraint. (Please refer to NT's Physical Intervention Policy for further information). Where staff are unsure, they should seek further clarification or training if required.

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.

20. Sexual Contact with Young People

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 the prohibition on adults in a position of trust (see Section 5).

The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material. "Working together to safeguard children" 2006 defines sexual abuse as "forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening". This means that adults should:

- 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 which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact.

There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of the child or young person,

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.

Staff requiring further clarification should refer to the schools policy on child protection and request training if necessary.

21. One to One Situations

Staff working in one to one situations with children or young people may be more vulnerable to allegations. All staff 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 children or young people are met.

Schools and governing bodies need to consider these issues in drawing up their school policies and offer clear training and guidance for the use of any areas of the school which place staff or children or young people in vulnerable situations e.g. photographic darkrooms, counselling rooms.

Managers should undertake a risk assessment in relation to the specific nature and implications of one to one work for each worker. In addition, each assessment should take into account the individual needs of each child or young person. Any arrangements should be reviewed on a regular basis.

Pre-arranged meetings with children or young people 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.

22. Overnight Supervision and Public Examinations

There are occasions during examination periods when timetables clash and arrangements need to be made to preserve the integrity of the examination process. In these circumstances, staff may be asked to volunteer to supervise students.

Where there are no staff volunteers, the examination awarding bodies allow for alternative supervisory arrangements to be made.

When staff do volunteer, efforts should be made to balance the purpose of the arrangement with the need to safeguard and protect the well being of all parties.

23. Transporting Children and Young People There will be occasions when adults are expected or asked to transport children as part of their duties. Adults, who are expected to use their own vehicles for transporting children should ensure that the vehicle is roadworthy, appropriately insured, and that the maximum capacity is not exceeded.

It is a legal requirement that all passengers should wear seat belts and it is the responsibility of the staff member to ensure that this requirement is met. Adults should also be aware of current legislation and adhere to the use of car seats for younger children. Where adults transport children in a vehicle, which requires a specialist license/insurance e.g. PCV or LGV¹- staff should ensure that they have appropriate licence and insurance to drive such a vehicle.

It is inappropriate for adults to offer lifts to a child or young person outside their normal working duties, unless this has been brought to the attention of the line manager and has been agreed with the parents. Efforts should be made to have a 3rd party present on every occasion.

There may be occasions where the child or young person requires transport in an emergency situation or where not to give a lift may place a child at risk. Such circumstances must always be reported to a senior manager and parents/carers and a record kept of the situation and its outcome.

All organisations should have appropriate policies for transporting children and young people

Adults should

- Ensure they are fit to drive and free from any drugs, alcohol or medicine which is likely to impair judgement and/ or ability to drive
- Be aware that the safety and welfare of the child is their responsibility until they are safely passed over to a parent/carer
- Record details of the journey, in accordance with agreed procedures
- Ensure that their behaviour is appropriate at all times
- Ensure that there are proper arrangements in place to ensure vehicle, passenger and driver safety. This includes having proper and appropriate insurance for the type of vehicle being driven
- Ensure that any impromptu or emergency arrangements of lifts are recorded and can be justified if questioned

24. Educational Visits and After School Clubs etc.

Staff should take particular care when supervising children and young people 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, staffs remain in a position of trust and need to ensure that their behaviour

¹ For further information see www.dvla.gov.uk

cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

A NT Policy for outdoor educational activities are available should schools require further information/guidance in this area.

Where out of school activities include overnight stays; careful consideration needs to be given to sleeping arrangements. Children and young people, 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/employers aware of their whereabouts, especially when involved in an out of school activity. Staff must be aware of and follow guidance. (DfES A Good Practice Guide – Health & Safety of Pupils on Educational Visits 1998, DfES Guidance Health & Safety – Responsibility and Powers December 2003).

25. First Aid and Administration of Medication

All schools must have trained first aiders/appointed persons. Staff should receive appropriate training before administering first aid or medication.

Children and young people may need medication during school hours. In circumstances where children or young people need medication regularly a health care plan should be drawn up to ensure the safety and protection of children, young people and staff. With the permission of parents, the children or young people should be encouraged to administer the medication themselves.

If a member of staff is concerned or uncertain about the amount or type of medication being given to a child or young person, this should be discussed with the appropriate senior colleague at the earliest opportunity. When administering first aid, wherever possible, staff should ensure that another adult is present, or aware of the action being taken. Parents should always be informed when first aid has been administered.

Reference should be made to NT's guidance on administering of drugs/medication, the school's safety policy and school's intimate care policy.

26. Intimate Care

All children and young people have a right to safety, privacy and dignity when contact of an intimate nature is required (for example assisting with toileting or removing wet/soiled clothing). A care plan should be drawn up and agreed with parents for all children who require intimate care on a regular basis. In addition, the care plan should be updated as the needs of the child change.

Children and young people should be encouraged to act as independently as possible and to undertake as much of their own personal care as is practicable. When

assistance is required, staff should ensure that another appropriate adult is in the vicinity and is aware of the task to be undertaken.

Additional vulnerabilities that may arise from a physical disability or learning difficulty should be considered with regard to individual teaching and care plans for each child or young person. As with all arrangements for intimate care needs, agreements between the child/young person, their parents/carers and the organisation must be negotiated, agreed, updated and recorded as part of the care plan. In addition, the views and/or emotional responses of children or young people with special educational needs, regardless of age and ability must be actively sought in regular reviews of these arrangements. This means that adults should:

- Adhere to the school's intimate care guidelines
- Make other staff aware of the task being undertaken
- Explain to the child or young person what is happening
- Consult with colleagues where any variation from agreed procedure/care plan is necessary
- Record the justification for any variations to the agreed procedure/care plan and share this information with parents.

Schools will need to consider the varying needs of the students in their care and develop an appropriate policy to support this. Schools will need to include in their policy an appropriate statement concerning the school's approach to personal care and clarify that no aspect of personal care will be undertaken without consent of parent and young person. It is also important that the school are explicit about who can give consent, including as appropriate, the young person themselves. Whether consent is required for each incident or a general consent be provided on an annual basis will need to be established by the School and will be appropriate to the particular needs of the child/young person.

Please also refer to section 14 – Showering & Changing.

27. Curriculum

Many areas of the curriculum can include or raise subject matter which 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 raise subject matter of a sexually explicit or otherwise sensitive nature. Responding to children and young people's questions can require careful judgement and staff may wish to take guidance in these circumstances from a senior member of staff.

Care should also be taken to abide by the Local Authorities/governing body's required policy on sex and relationships education and the wishes of the parents. Parents have the right to withdraw their children from all or part of the sex education provided (but not from the biological aspects of human growth and reproduction necessary under the science curriculum).

28. Photography, Videos and other Creative Arts

Many school activities involve recording images. These may be undertaken as part of the curriculum extra school activities, for publicity, or to celebrate achievement. Staffs 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 children or young people who may be unable to question why or how the activities are taking place.

Children and young people 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 or young people who appear uncomfortable and should recognise the potential for misinterpretation.

Using images of children or young people 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.

It is recommended that when using a photograph the following guidance should be followed:

- If the photograph is used, avoid naming the child or young person
- If the child or young person is named, avoid using their photograph
- Schools should establish whether the image will be retained for further use
- Images should be securely stored and used only by those authorised to do so.

Schools are recommended to have a policy on the use of photography, video and other recording equipment including Mobile/Camera Phones. Such a policy should also cover pupils using mobiles within school and in particular mobile/camera phones.

29. Internet Use

Schools should have clear policies about access to and the use of the Internet and have regard to the school's and the Local Authorities policy.

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 working 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 children and young people might be exposed to inappropriate or indecent

materials. This could also lead the individual concerned open to disciplinary or criminal procedures.

30. Whistle blowing

Whistle blowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. Each employer should have a clear and accessible whistle blowing policy that meets the terms of the Public Interest Disclosure Act 1998.

Staff should acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies. This is particularly important where the welfare of children and young people may be at risk.

For clarification around whistle blowing policies in schools, schools should contact their link HR Advisor for guidance.

31. Sharing Concerns and Recording Incidents

All staff should be aware of the school's child protection procedures, including procedures for dealing with allegations against staff. Staffs who are the subject of allegations are advised to contact their professional association

Refer to North Tyneside Local Safeguarding Children Board guidance in respect of Allegations against Staff September 2012. For further advice Schools should contact their link HR Advisor.

In the event of an incident occurring, which may result in an action being misinterpreted and/or an allegation being made against a member of staff, the relevant information should be clearly and promptly recorded and reported to senior staff. Early discussion with a parent or carer could avoid any misunderstanding.

Members of staff should feel able to discuss with their line manager any difficulties or problems that may affect their relationship with children or young people so that appropriate support can be provided or action can be taken.

Where schools experience in offering support to staff in difficult circumstances, they should contact the appropriate service area for advice and support.