

Three Counties Academy Trust



Professional Boundaries with Pupils Policy

#C4

Last updated: 10 November 2022

Review Date: 31 August 2023

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Statement of intent

Three Counties Academy Trust and all of our schools are committed to providing a safe learning environment for our pupils. This policy outlines the Trust's approach to maintaining professional boundaries and appropriate behaviour with pupils, which must be followed by all staff.

Teachers are expected to maintain high standards of ethics and behaviour, within and outside school, by treating pupils with dignity, building relationships rooted in mutual respect, and always observing the proper boundaries appropriate to their profession. All staff will be expected to help create a warm, welcoming, and inclusive environment for pupils while maintaining professional boundaries.

1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- DfE (2022) 'Keeping children safe in education 2022'
- DfE (2018) 'Working Together to Safeguard Children'
- Education Act 2002

This policy operates in conjunction with the following Trust policies:

- Allegations of Abuse Against Staff Policy
- Child Protection and Safeguarding Policy
- Staff Code of Conduct
- Low-level Safeguarding Concerns Policy
- Intimate Care Policy
- Physical Intervention Policy
- Driving at Work Policy

2. Professional expectations

The Executive Headteacher and Heads of School will ensure all staff and pupils are aware that it is an offence for a person aged 18 or over to have a sexual relationship with a child under the age of 18 where that person is in a position of trust in respect to that child, even if the relationship is consensual.

All staff will:

- Always maintain professional boundaries and relationships with pupils at and consider whether their actions are warranted, proportionate, safe, and necessary
- Act in an open and transparent way that would not lead to others questioning their actions
- Ensure that they do not establish social contact with pupils for the purpose of securing a friendship, or to pursue or strengthen a relationship
- Ensure that they do not develop personal or sexual relationships with pupils. This includes making sexual remarks and discussing their own sexual relationships with, or in the presence of, pupils
- Only contact pupils via the Trust's established mechanisms; personal phone numbers, email addresses or social media platforms will not be used to contact pupils

In the case that any inappropriate contact is made with pupils, it will be raised with the Executive Headteacher, and handled in line with the Trust's Child Protection and Safeguarding Policy and Staff Code of Conduct.

In the case that a pupil is consistently attempting to befriend or contact a member of staff on social media, the member of staff will inform the Executive Headteacher as soon as possible.

3. Former pupils

Staff will be strongly discouraged from forming personal relationships with former pupils, including on social media, as well as with the parents of any pupils on social media.

In the event of the Trust becoming aware of a close relationship between a member of staff and a former pupil which may raise concerns about their suitability to work with children, the Executive Headteacher will contact the LA designated officer (LADO) for advice and guidance.

Any inappropriate contact made with former pupils will be handled in line with the Child Protection and Safeguarding Policy and Staff Code of Conduct.

4. Duty of care

The Executive Headteacher will ensure all staff recognise that:

- They are in a unique position of trust, care, responsibility, authority, and influence with their pupils, which means there is a power imbalance within a pupil-teacher dynamic
- They have the responsibility to have the best interest of pupils in mind
- They should be a model of good behaviour, challenging inappropriate actions and language, and promoting respect and tolerance
- Activities of a sexual nature can be deemed an abuse of responsibility of authority
- The Education Act 2002 imposes clear duties to provide acceptable levels of care to protect pupils from all reasonably foreseeable risks and harm

5. Appropriate language and physical contact

Appropriate language

Staff will be informed that pupils should not be treated as friends. Staff will not:

- Use inappropriate names or terms of endearment
- Allow inappropriate conversations or enquiries of a sexual nature to occur
- Comment on a pupil's appearance, including personal flattery or criticism
- Treat pupils disrespectfully or discriminatorily, based upon their perceived or actual sexual orientation, gender, ethnicity, and any other pupil characteristic
- Subject pupils to humiliation, profanity, or vilification
- Allow or partake in suggestive humour, banter, jokes, or innuendos of a sexual nature
- Use obscene or inappropriate gestures and language
- Partake in personal conversations, including on the phone, where this may be overheard by pupils

Physical contact

All staff members will, as much as possible, respect the personal space and privacy of all pupils, and will avoid situations which unnecessarily result in close physical contact.

The Trust understands that there are, however, circumstances in which it is entirely necessary for staff to have physical contact with pupils, e.g. when applying first aid, assisting with intimate care, or using reasonable force, but staff will only do so in a professional and appropriate manner in line with the Trust's First Aid Policy, Intimate Care Policy and Physical Intervention Policy.

When any necessary physical contact is made with pupils, it will be conducted in a way which is responsive to their needs, is of as limited duration as possible and is appropriate to their age, stage of development, gender, and background.

Staff will seek the pupil's permission, where possible, before initiating contact.

Staff will always use their professional judgement when determining what physical contact is appropriate, as this may differ between pupils. As such, the pupil's feelings and wishes will always be taken into account.

Staff will never touch a pupil in a way which is indecent and will be aware that even well-intentioned physical contact may be misconstrued by a pupil, an observer or by anyone to whom this action is described and, therefore, will be prepared to justify their actions.

Staff will not engage in rough play, tickling or play fights with pupils.

If a pupil is in distress and in need of comfort as reassurance, staff may use age-appropriate physical contact, such as placing their hand on the pupil's shoulder. Staff will remain self-aware of their actions at all times and ensure that their contact is not threatening, intrusive or subject to misinterpretation.

Physical contact will never be secretive; if a member of staff believes an action could be misinterpreted, this will be reported in line with the Low-level Safeguarding Concerns Policy and appropriate procedures will be followed.

Extra caution will be taken with physical contact where it is known that a pupil has previously suffered from abuse or neglect.

6. Appropriate boundaries

The Executive Headteacher and Heads of School will ensure staff are aware that they must not:

- Discuss personal information with pupils, such as concerning their lifestyle or marital status, unless it is directly relevant to the topic being taught
- Correspond in a personal nature through any medium with pupils, e.g., phone calls or text messages, unless it is within the staff member's role and via an approved communication method, e.g., school emails
- Adopt an ongoing support role beyond the scope of their position
- Use personal equipment for approved activities, such as a personal camera, unless approved in writing by the SLT, and will not photograph, audio record or film pupils without authorisation from the SLT and consent from the pupil's parent
- Save images, videos, or audio recordings of pupils on personal devices, unless authorised by the SLT or parents
- Upload images, videos, or audio recordings of pupils to any location without consent from parents and the SLT
- Discuss or share information regarding other pupils or members of staff; staff should be aware of their surroundings when speaking to others, as their conversations may be overheard
- Ignore instances of sexual harassment and inappropriate behaviour amongst pupils

Staff will be informed that they must not:

- Invite or allow pupils to visit their home
- Allow pupils to access staff members' personal devices
- Attend pupils' homes or their social gatherings, unless approved by the SLT
- Be alone with a pupil outside of teaching responsibilities, unless approved by the SLT
- Enter changing rooms or toilets occupied by pupils, when supervision is not required or appropriate, use toilet facilities allocated to pupils, or undress in facilities intended for use by pupils or in close proximity to areas commonly used by pupils
- Not transport a pupil unless in line with the Driving at Work Policy
- Carry out one-to-one tutoring, mentoring, or coaching of pupils, unless approved by the Head of School or SLT
- Give personal gifts or special favours, or disproportionately single specific pupils out for special duties or responsibilities
- Offer overnight, weekend or holiday care as a respite to parents without the approval of the Executive Headteacher

7. Allegations

The Executive Headteacher or the Executive Leader for Safeguarding and Inclusion will be the 'case manager' in the event that an allegation of a staff member overstepping professional boundaries with a pupil. They will be responsible for deciding with the DSL and LADO, where appropriate, the course of action of each allegation.

Should an allegation be made against the Executive Headteacher, it will be brought to the attention of the Chair of Trustees immediately. In the case that an allegation is made, the Trust will follow the Allegations of Abuse Against Staff Policy.

8. Monitoring and review

This policy will be reviewed in line with the published schedule at the front of this document and at any point material changes require it by the Executive Headteacher and the Executive Leader for Safeguarding and Inclusion in conjunction with the Governing Board. Any changes made to the policy will be amended by the Executive Headteacher and will be communicated to all members of staff. All staff are required to familiarise themselves with this policy as part of their induction programme.

The next scheduled review date for this policy is 31st August 2023.

Signed by:

_____	Executive Headteacher	Date: _____
_____	Chair of Trustees	Date: _____

