



A Stepping Stone to a Brighter Future

POLICIES & PROCEDURES

3. CODE OF CONDUCT

Scotland





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Introduction

This Policy should be read in conjunction with the main Child Protection Policy Scotland where the main principles of care by Pebbles Care, Partners in Care and Radical Services (will now be referred to as 'the company') are set out. All policies and procedures are underpinned by legislation and guidance across the UK and relevance to each nation is noted.

The company is committed to ensuring that children/young people receive care and education, which is safe and stimulating and which meets their needs for security and stability. We are also committed to providing care and education to children/young people whose behaviours can sometimes be challenging in ways that are safe for staff and does not leave them vulnerable to false allegations with both an individual and collective responsibility for establishing acceptable professional standards in terms of conduct and for ensuring that these are maintained.

This document sets out expectations regarding the conduct of all staff towards children/young people and each other and is intended to support staff by making 'the company' views on acceptable standards of behaviour clear and explicit.

Scope

This policy applies to all staff who have responsibility for the care and/or education of children/young people looked after by 'the company' either directly or indirectly. It also applies to any ancillary staff, students and volunteers who may be in contact with children/young people as well as any external providers whom the organisation might use.

For the purposes of this Code, all categories of adults working with children/young people will be referred to as 'staff' and the term 'Organisation' will be used to denote the relevant employing body.





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Purpose

- To promote the safety and well-being of children/young people who are being looked after and attend education provided by 'the company'.
- To help protect staff from false allegations from children/young people.
- To explain the expectations of high professional conduct expected by staff of 'the company'.
- To provide guidance and information to staff to assist them in their work with children/young people.
- To set professional standards against which the behaviour of people involved in the education and/or care of children/young people can be measured.

Breaches of the Code of Conduct

Conduct on the part of an employee which is in breach of this Code may give rise to consideration whether action under the disciplinary procedure is appropriate. Not all breaches of the Code will automatically result in such action. The means by which a particular concern is progressed will depend upon the seriousness of the alleged breach, the circumstances in which it occurred and the employee's past record. However when issues are addressed through the formal procedures they will be strictly adhered to and the individual member of staff afforded all the rights and support which the procedures allow.

Professional Standards

Staff are expected to give service of the highest quality to children/young people and others at all times. This will include staff treating all people with courtesy and respect: attending to the individual needs of children/young people for care, education, comfort and support: supplying information and co-operation with others in the best interests of children/young people and constantly having





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regard to the impact of their own behaviour both on the welfare of the individual child/young person and the standing of the Organisation in general.

Staff have a responsibility to familiarise themselves with the relevant policies and procedures which apply to their duties and to adhere to these at all times. The Organisation has a responsibility to ensure that this information is available for staff. If a member of staff or group of staff believe that a particular policy or procedure is no longer useful or relevant the expectation is that this will be brought to the attention of those with responsibility for such matters so that it can be reviewed and that in the interim, the policy/procedure will continue to apply unless otherwise directed.

'the company' believes that children/young people's care and education is best secured through the positive and cordial relationships which they have with staff and that a degree of informality is helpful in promoting such relationships. It is important however, that staff manage their interactions with children/young people so that over-familiarity does not erode the mutual respect which is the foundation of positive, enduring relationships.

In the course of their work staff will on occasions be confronted with aggressive, agitated and angry behaviour by children/young people as well as possibly being physically assaulted. It is expected that they will moderate their own behaviour and exercise appropriate self-control when confronted with such challenging behaviour.

'the company' believes that the maintenance of the highest standards of behaviour is in the best interests of all and expects that staff at all levels will behave in ways that meet those standards. Further, it is expected that staff will bring to the attention of their own line manager (or other more senior member of staff if it is the line manager's conduct which is at issue) any concerns they have regarding improper conduct or breaches of procedures by others. This information will be received in confidence and without fear of recrimination.

It is vitally important that staff who are responsible for children and young people looked after by 'the company' ensure that whilst on duty they monitor & engage children/young people at all times. It is therefore prohibited for any staff to sleep during waking shifts unless they are on an approved sleep in shift.





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If any member of staff is not clear about any of the standards or expectations which are embodied within this Code of Conduct they should seek clarification from their line manager.

Relationships with Children/Young People

The primary function of the relationships which staff have with children/young people is to meet their needs for care and education and to safeguard and promote their welfare.

The relationships which staff have with children/young people should be based on unconditional positive regard for the child/young person (no matter what their behaviour) and managed in such a way as to achieve the best possible outcomes for children/young people from their experiences of being educated and/or looked after (See Behaviour Management Policy).

All children/young people by virtue of their age, level of maturity and experience are to some extent vulnerable to exploitation and suggestion by adults. This may be particularly so in relation to children/young people who are looked after and who may be more emotionally needy. It is imperative that all staff recognise this vulnerability and the duty of care which children/young people are owed.

Staff should not form 'special' (clandestine) relationships with children/young people nor should they show any signs of favouritism – any privileges or rewards which any child/young person receives should be available to all children/young people.

Staff should not form personal relationships with children/young people i.e. that are carried on outside their professional duties. Under no circumstances whatsoever should any member of staff engage in a sexual relationship with a child/young person, no matter what their age.

Any deviation from this expectation would be regarded as serious breach of this Code of Conduct. It is also likely that such a relationship may constitute a criminal offence.

It is true that some children/young people form particular attachments for some members of staff and seek them out in preference to others. This of itself is of





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no cause for concern and should not be discouraged. Staff, however, need to ensure that the nature of the relationship is not open to misinterpretation – through making sure it is conducted in public and discussed with their line manager. In these circumstances staff should actively encourage the child/young person to broaden the base of their relationship.

It is not unusual for children/young people to offer gifts to their carers and the acceptance of these gifts by staff can help promote their relationships with children/young people. However it is important that the member of staff exercises sound professional judgement in this matter – accepting only token gifts of relatively low value. Staff should beware of receiving gifts from children/young people which may be of a 'personal' nature and signal the young child/young person's intention to move the relationship on to a more 'intimate' level. Staff should decline such gifts and explain to the child/young person the reason for this. The matter must then be reported to their line manager. If any member of staff has any doubts about what might be acceptable or otherwise as a gift, this should be discussed with their line manager.

On occasions staff give token gifts to children/young people. This is acceptable, providing they are of relatively low value, available to all children/young people and publicly declared. Staff should not, under any circumstances, offer personal private gifts to individual children/young people, nor should staff buy, sell or trade personal property with children/young people.

Under no circumstances should residential staff/teaching staff take children/young people to their own home or to the homes of their relatives or friends without written permission from the child/young person's placing authority as well as their line manager. Such an action, while obviously well intended, could place both the child/young person and the member of staff in a difficult situation should the visit go wrong or at some future time the relationship between the child/young person and member of staff deteriorate.

Physical Contact

Appropriate touch is a normal part of human relationships and is a natural and necessary part of personal development. However, staff engaged in the care and education of children/young people need to exercise caution in the use of physical contact.





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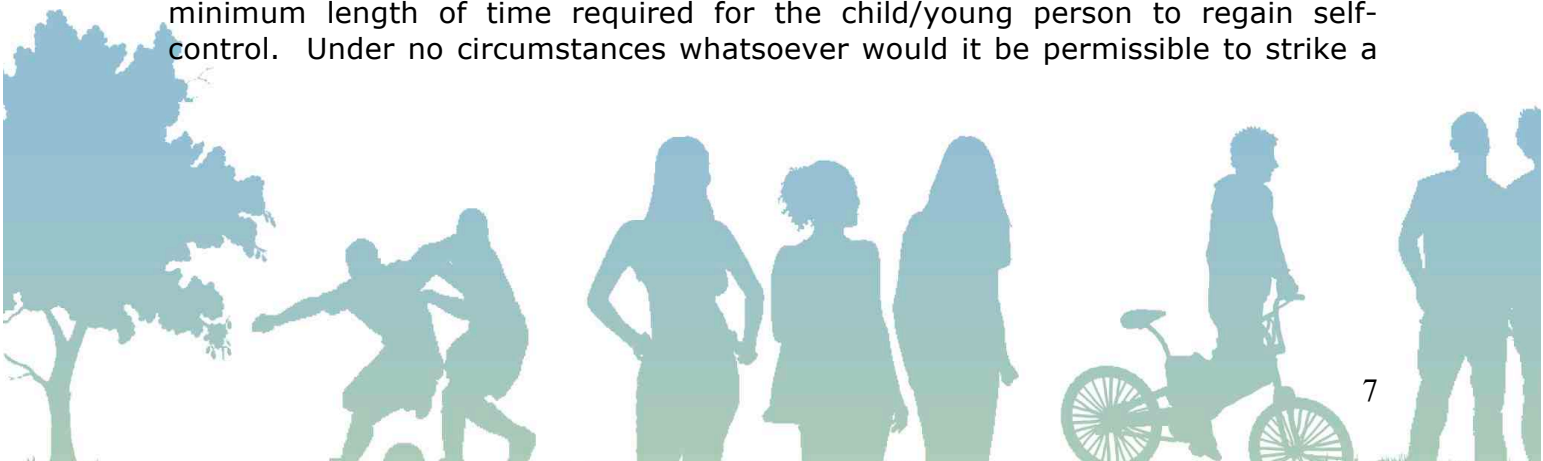
Generally the expectation is that staff will work in a 'limited touch' environment and that when physical contact is made with children/young people this will be in response to the child/young person's need's at the time, will be of limited duration and will be appropriate given the age and stage of development of the child/young person. For example, it would be acceptable to briefly hug, shake hands or pat on the back or arm to congratulate them.

When children/young people are distressed it is important that they are comforted and often physical contact can facilitate this. In these circumstances a touch on the arm, holding a hand or an arm around the shoulder might be appropriate. However staff must remain self-aware at all times to ensure that their contact with children/young people is not threatening or intrusive and not subject to misinterpretation.

Staff who are involved in the education and care of children/young people who may have been emotionally or sexually abused need to exercise particular caution in the use of physical contact. Such children/young people may be extremely emotionally needy and seek out physical contact with adults which may inadvertently (from the adult's point of view) replicate their abusive experiences and leave the member of staff vulnerable to allegations of abuse. In these circumstances staff should deter the child/young person and manage the inappropriate touch in such a way that the child/young person does not suffer a negative experience.

It is inappropriate for staff to ever kiss children/young people or to allow them to sit on knees or lean or sprawl on staff (while watching TV, etc). All of these things are perfectly innocent and part of normal family life and are good for children/young people. However, the children/young people who are being educated and looked after by 'the company' are owed a duty of care which precludes such contact.

On occasions it may be necessary for staff to use physical intervention with children/young people in order to protect them or others or to protect property. In these circumstances the physical intervention must be conducted in line with agreed policy and procedure with the least amount of force applied for the minimum length of time required for the child/young person to regain self-control. Under no circumstances whatsoever would it be permissible to strike a





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child/young person, nor should children/young people be handled roughly or held in ways that deliberately cause them pain. Staff should never engage in 'play fighting' with children/young people and should actively discourage such behaviour between children/young people themselves (See Behaviour Management Policy).

It is not intended that this Code should distance staff from the children/young people they teach or look after, rather it is an acknowledgement that such limits on physical contact are an inevitable consequence of the current climate of concern about children/young people's safety. Also adherence to this Code will help protect staff from false allegations of abuse.

Mobile Phones & Computers

With the advancements of technology and the opportunity for online grooming/exploitation as well as bullying, staff are not permitted to share their mobile numbers with children/young people or transfer music/pictures via blue tooth or any other means. Staff should never allow children/young people to use their mobile phones for any reason.

This also extends to e-mails. E-mail addresses should never be shared with children/young people or information exchanged over the internet with them. Staff are not permitted to download or share any information that may bring the company into disrepute and should not use the internet for purposes other than work. Individual staff are responsible for keeping their individual log in and access passwords confidential and any misuse arising from staff failing to adhere to this will remain with the individual staff member concerned (see Internet Policy/Agreements for usage).

Staff are not permitted to use social networking sites (eg facebook, twitter) in work time. When out of work staff should under no circumstances discuss residents and issues within the home (see confidentiality section below). It is not acceptable for staff to 'friend' or follow children/young people who are looked after by 'the company' on social networking sites. Any contact with ex-residents who continue to be looked after or remain under the age of 21 must be approved by an Area Manager and the young child/person's after care worker.





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Privacy & Personal Space

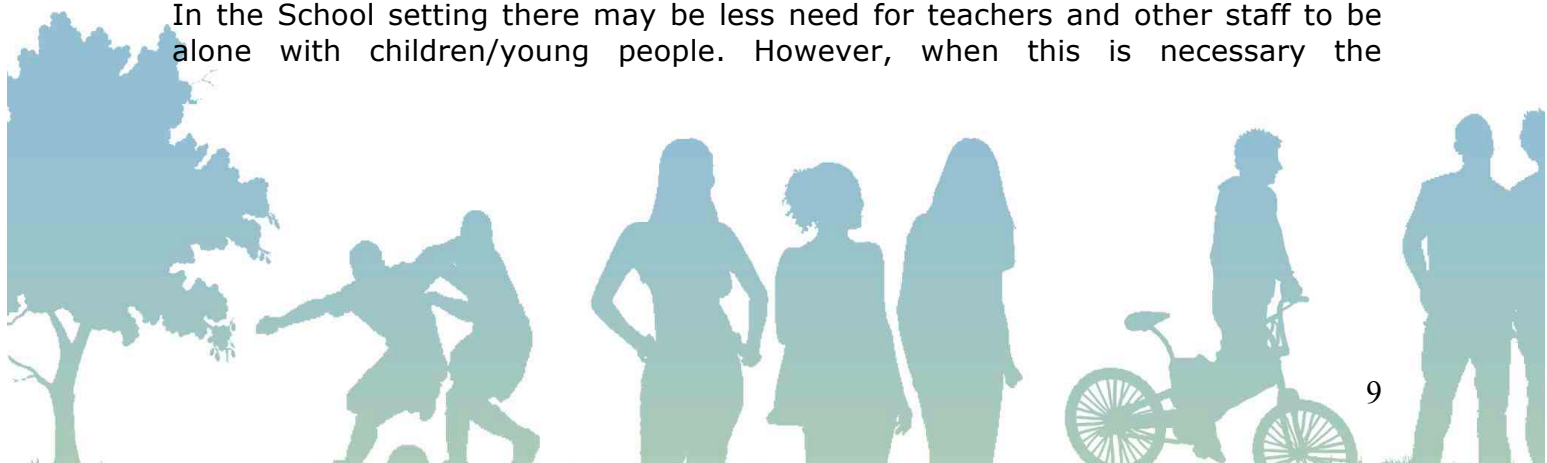
All children/young people have a right to privacy and personal space and staff caring for children/young people should respect this. When children/young people are in their own rooms staff should always knock and ask permission to enter. There may be occasions when staff will need to enter rooms without permission (for example when the safety of a child/young person is of concern). In this circumstance the member of staff must state clearly that they intend to enter the room before doing so. Staff should not enter rooms if a child/young person says they are dressing or undressing. In this case staff should advise the child/young person that they intend to enter and give them long enough to get dressed.

Staff should only enter children/young people's rooms if this is unavoidable. Bedrooms should not be used by staff to socialise with children/young people. If it is necessary to go to a child/young person's room to deliver a message this should be done from the doorway. If it is necessary to enter the room, the door should be propped open. If it is likely that there will be a confrontation with a child/young person the two members of staff should be present. If it is unavoidable that a member of staff has to enter a child/young person's room alone (e.g. the child/young person is ill) he/she should inform a colleague and record the fact.

If it is necessary for staff to help children/young people settle into bed, this should be done in the context of the childcare plan/child specific safer caring policy and subject to the same limitations outlined above, i.e. with the door ajar and in the knowledge of colleagues. The expectations in relation to physical contact also apply here.

The situation in relation to children/young people with disability is more complex in that there is a need to carefully balance issues related to the child/young person's safety with the right to privacy when receiving intimate care. Children/young people with disability have exactly the same rights as other children/young people to be safe and free from harm.

In the School setting there may be less need for teachers and other staff to be alone with children/young people. However, when this is necessary the





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expectations outlined above apply, i.e. the door to the room will be kept ajar if possible, the member of staff should inform their manager of their intention to speak to a child/young person alone and there should be a record of the meeting. If the meeting is between the Head Teacher and a child/young person, then the Head Teacher should inform a senior colleague.

In certain circumstances (field trips/organised holidays, etc.) it may be necessary for staff, in discharging their duty of care, to exercise increased vigilance in monitoring children/young people's behaviour. When this is so it is important to exercise caution so that the child/young person is not compromised and the member of staff does not attract allegations of overly intrusive or abusive behaviour. Relevant risk management plans must be completed and agreed with children/young people/social workers and significant others.

Smoking

All staff are expected to help children/young people who smoke to give up and to actively discourage all children/young people from smoking at all times.

Staff must not buy or procure cigarettes for children/young people nor offer or accept cigarettes from children/young people.

Staff who themselves smoke must not do so in the presence of children/young people nor should they allow the need to smoke to over-ride the needs of the children/young people.

The same expectations apply to all staff whether they are on-site or not. Staff must not allow children/young people to smoke in vehicles (if being transported) nor smoke themselves.

While actively promoting an anti-smoking policy, it is important to recognise that many children/young people looked after by 'the company' are nicotine-dependent and that a universal ban on smoking is often unenforceable. In these circumstances staff must complete a risk assessment and make arrangements to ensure that if smoking is to be permitted that it is limited to a designated area and that children/young people are monitored while smoking (the expectation that staff will not smoke in the presence of children/young people still applies.)





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In these circumstances staff should still endeavour to discourage smoking and actively promote anti-smoking messages.

Drugs & Alcohol

Staff are not permitted to consume alcohol or use non-prescription medication (except over-the-counter remedies) whilst on duty. Anyone who is incapacitated through the use of alcohol or drugs to the extent that they cannot fully discharge their duties constitutes a source of potential danger to themselves and others and will be subject to immediate suspension from duty pending an investigation into the circumstances of the incident.

Staff should also be aware of the lasting effects of alcohol and illegal drugs and that this may impair their ability to discharge their duties and compromise the safety and welfare of children/young people as well as leading to criminal convictions.

It is accepted that drug and alcohol related problems/addiction can have negative impact on an individual and where identified as such, will be regarded sympathetically. It is important that in these circumstances the management of the problem does not compromise the well being of children/young people.

It is expected that staff will report to their line manager any off duty drug or alcohol related incidents which result in arrest/charges being brought. It is also expected, because of the possible safety implications for children/young people, that members of staff will report to their line manager any of their colleagues that they suspect of being incapacitated through the use of drugs or alcohol whilst on duty.

Under no circumstances will staff drink alcohol in the company of children/young people cared for by 'the company', nor buy or procure alcohol for children/young people nor allow children/young people to consume alcohol.

Dress Code

All staff are expected to dress for work in a way that is appropriate for them to properly discharge their duties and they should be mindful of this when deciding what to wear for work.





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Staff act as role models and should dress in a way that do not distract children/young people, nor cause them any embarrassment. Clothes must not be overly tight, short or revealing. They should be clean smart and fit for purpose.

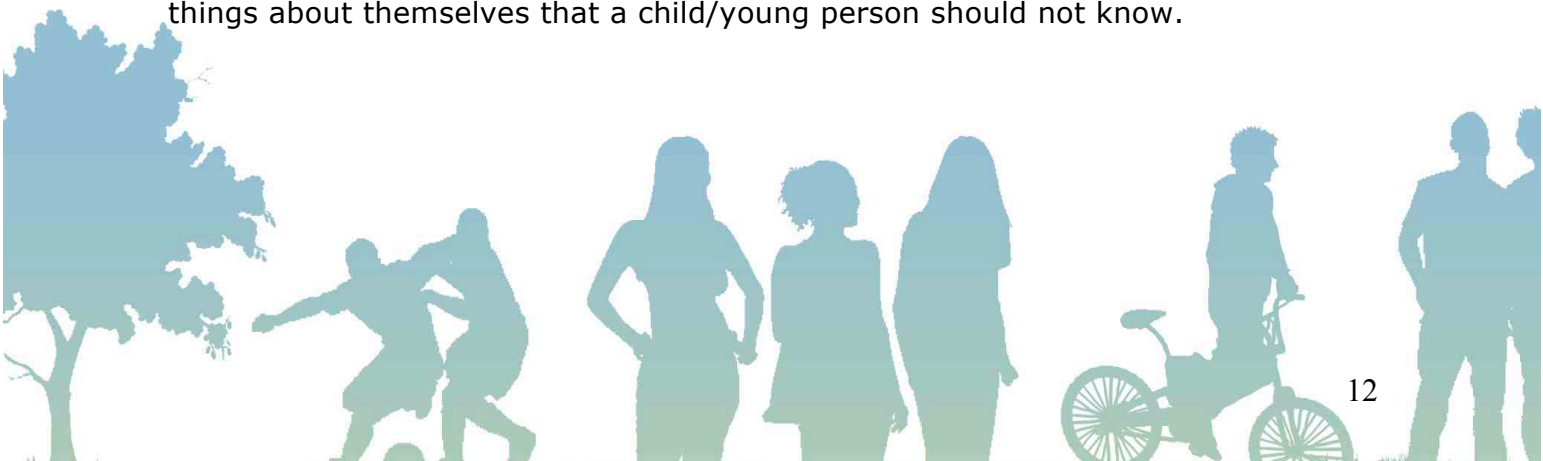
Body piercing/tattoos; staff need to be aware of the Health & Safety aspects of this issue and reflect upon the possible harm they may accidentally cause children/young people and themselves if there is a need to restrain in the course of other activities. The expectation is that the same rules about what was permissible for children/young people in the establishment in terms of body piercing should apply to staff also.

Appropriate Self-Disclosure

A major factor in providing children/young people with care and education is the quality of the relationships they build with their carers and teachers. An important feature in making relationships and developing trust with children/young people is the skill of self-disclosure, the willingness and ability to convey significant information about oneself to another person. Self-disclosure is important in building relationships as it displays genuineness and allows more of the real person to emerge.

The key issue in managing self-disclosure is that of **appropriateness**. There may be a number of ways in which self-disclosure can be inappropriate: giving too much information about oneself too early in a relationship; providing information that is not appropriate to the setting; giving children/young people information that is beyond their stage of development and understanding or disclosing information which creates a responsibility or an expectation in a child/young person which is inappropriate.

It is important to remember that all children/young people are to some extent suggestible and open to persuasion by adults, especially those that they like and trust, and particularly so for the emotionally needy children/young people who may have been abused or neglected in the past. It is imperative therefore that all members of staff at all times exercise caution in the information they provide about themselves which might unduly influence a child/young person or reveal things about themselves that a child/young person should not know.





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If you come in to contact with a Young Person whilst out in the Community that is not accompanied by a member of staff, you must report this to a Senior member of staff, at one of our homes or at Head Office, whilst it is not expected that no acknowledgment can be made between both parties, it is expected that this should be kept to a minimum and fully disclosed to an appropriate member of staff. This is to protect employees from any future allegation that may be received by the child/young person.

Confidentiality

It is expected that the staff will treat information that they receive about children/young people in a discreet and confidential manner. Written records and correspondence should be kept secure at all times and conversations or discussions which take place about children/young people should be conducted in private and information exchanged on a 'need to know' basis.

Staff should co-operate fully with other professionals who are working with children/young people and share with them any information they need to safeguard and/or promote a child/young person's welfare. If any member of staff has any concerns about disclosing information to professional colleagues this should be discussed with their line manager.

In regard to information that staff receive from children/young people or non-professional sources (parents and third parties) they need to be aware that no guarantees can be given to the person disclosing the information that this can be kept confidential and this must be made explicit. It is important that staff are aware that if they receive information that a child/young person has been the victim of abuse or has perpetrated abuse or committed a crime they have a duty to disclose this to their line manager.

Relationships Between Staff Members

Relationships between staff members will be expected to be conducted in ways which are fair, balanced, non-oppressive and appropriate. Furthermore, relationships between Senior Staff and their subordinates will be conducted in ways that give rise to no concerns regarding over-familiarity, scape-goating, favouritism or anything else which might adversely affect the harmonious operation of the staff group as a whole. These relationships should be





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transparent, open and demonstrably fair. Senior members of staff have a responsibility to model appropriate behaviour for their subordinates.

It is expected that at all times staff will treat each other with dignity and respect and that generally people will enjoy positive and mutually supportive relationships with their colleagues. Under no circumstances should children/young people be allowed to become aware of differences between staff members (see appropriate self-disclosure) nor should differences be allowed to compromise the stability, welfare and well being of children/young people.

Staff members will treat each other with dignity and respect and should refrain from gossiping about their colleagues. Individuals will receive feedback on their performance at work and good practice would suggest that this should be offered and received in a positive and constructive way. If members of staff have views on their colleagues' conduct or performance they should progress these by talking to their colleagues and challenge this behaviour in others should they encounter it.

Personal/intimate relationships within the workplace are expected to be disclosed and discussed with the line manager and considered in line with organisational policy. This expectation is not intended to be intrusive, but recognise the potential difficulties this can create within the staff group, children/young people, other members of staff, managers and others who come into contact with the organisation.

Under no circumstances will a company member of staff/volunteer have an intimate relationship with a young person under the age of 18 as these staff are in a position of trust as identified within disclosure Scotland.

Outside Commitments

Where staff take on other work outside the company it is expected that this will be disclosed to their line manager. Any concerns would be raised if it became evident that the additional hours/alternative employment compromised the individual's ability to discharge their normal duties and responsibilities.





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Declarations

The company expects all staff/volunteers to declare if during the course of their employment they receive any convictions, cautions, reprimands, bail for alleged offences pending investigation/charge no matter what the offence is. Staff are also requested to notify/declare any health issues that arise during the course of their employment that may render them unsuitable to continue to work. These matters must be brought to the attention of your line manager or alternatively the Human Resources department without delay and failure to do so may lead to disciplinary action being taken.

Personal & Professional Boundaries

Given the nature of the work that the company does there are circumstances where it might be necessary for the Organisation to express a view about an individual's conduct in his or her private life. This would refer to situations in which, because of their private activities, staff were unable to discharge their duties fully and properly and had a negative impact upon the image/reputation of the Organisation or members of staff.

In each circumstance the line manager would discuss the issue with the member of staff and agree a way forward to ensure that the behaviour of staff does not impact adversely on the welfare of children/young people or the organisation.

Conclusion

This Code is intended to be a helpful guide to staff in that it makes explicit the expectations which are held about conduct of all Staff and their colleagues in 'the company'. It is expected that staff will hold each other accountable in upholding the organisational Code of Conduct and will use this as an aide to self-monitoring to ensure and maintain the best possible outcomes for the children/young people looked after and educated by 'the company'. (see Whistle Blowing Policy).





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Cross Reference

This Code of Conduct should be read in conjunction with the following:-

Radical Service, Pebbles Care, Partnership Care:

- Child Protection Policy Scotland
- Whistle Blowing Policy
- Safer Caring Policy
- Internet Policy
- Privacy & Confidentiality Policy
- Smoking Policy
- Alcohol Misuse Policy
- Drugs Misuse Policy
- Behaviour Management Policy
- Statement of Purpose
- Employee Handbook
- Equality Policy

Updated: June 2015

