

General Welfare Requirement: Suitable People

Providers must ensure that adults looking after children, or having unsupervised access to them, are suitable to do so.

Employment

2.2.1 Code of Conduct

Policy Statement for St Joseph's Pre-school

St Joseph's Pre-school provides an induction for all staff, volunteers¹ and students in order to fully brief them about the setting, the families we serve, our policies and procedures, curriculum and daily practice. St Joseph's Pre-school puts in place appropriate arrangements for the supervision of staff that have contact with children and families.

The purpose of this document is to create and embed a culture of openness, trust and transparency in which the setting's values and expected behaviour set out in the Code of Conduct are lived, monitored and reinforced constantly by all staff.

A Code of Conduct is essential to assist staff by offering guidance on reasonable conduct with children. For obvious reasons, staff must always be mindful of the fact that they hold a position of trust, and that their behaviour towards children should always be exemplary. This Code of Conduct reflects the requirements set out in Keeping Children Safe in Education (latest version).

Procedures for induction

We have a written induction plan for all new staff, which includes the following:

- Introductions to all staff and volunteers, including management committee members.
- Familiarising with the building, health and safety and fire procedures.
- Ensuring our policies and procedures have been read and are carried out.
- Completion of the Pre-school's Acceptable Use of Technologies Agreement².
- Completion of the Pre-school's Confidentiality Agreement Staff, Students and Volunteers³.
- Introduction to parents, especially parents of allocated key children where appropriate.
- Familiarising them with confidential information where applicable in relation to any key children.
- Details of the tasks and daily routines to be completed.

Statement of Intent

At St Joseph's Pre-school we value the professionalism and individuality of our staff. We wish to ensure that the staff reflect the high standards of our Pre-school and recognise that we represent the school in our dealings with the children, carers, other professionals and the public. We require all staff, volunteers and students to provide a positive model of behaviour by treating children, parents and one another with friendliness, care and courtesy.

¹ Volunteers also includes the Management Committee Members

² Appendix 1 of Policy 1.11.1 Acceptable Use of Technologies

³ Appendix 2 of Policy 1.4 Confidentiality

The Code of Conduct forms part of an employee's contract. Failure to comply with the associated St Joseph's Pre-school policies may result in disciplinary action being taken, and St Joseph's Pre-school reserves the right to take legal action against employees where breaches of the Code warrant such action. Staff should always maintain appropriate professional boundaries, avoid behaviour which could be misinterpreted by others and report and record any such incidents.

It is expected that all staff, volunteers and students at St Joseph's Pre-school should provide an example of good conduct that you wish others to follow, notably:

- be flexible, reliable and punctual;
- be open, honest and trustworthy in word and deed;
- be hard working and willing to do as directed;
- be motivated and happy to do your job;
- be friendly and a positive role model to everyone, children, parents and other staff;
- take responsibility for their own actions and behaviour;
- be hard working and work as part of the team;
- be welcoming to everyone within the Pre-school;
- work enthusiastically and support colleagues;
- communicate with each other in a positive manner;
- maintain high standards in safety and hygiene by keeping the Pre-school safe and clean;
- show initiative;
- keep confidentiality at all times any issues – including personal, concerning children, their parents or carers, staff and students should not be discussed outside the Pre-school;
- always act, and be seen to act, in the best interest of the children at all times;
- use and encourage children to say please and thank you and employ general good manners;
- ensure inclusive practise is provided at all times;
- give equal opportunities to everyone within the Pre-school regardless of their age, gender, race, religion, culture or background. We are committed to providing equality of opportunity and will not tolerate any illegal discrimination, harassment or sexual harassment based on race, colour, religion, sex, sexual orientation, gender reassignment, national origin or any other class;
- read and follow all St Joseph's Pre-school policies and procedures and implement them at all times and sign the signature sheet at the front of the folder to confirm;
- ensure that your behaviour at work or outside does not cause embarrassment to the Pre-school or reflect negatively on the Pre-school in a way that would bring its reputation into disrepute or cause a loss of public confidence. This includes through the use of social networking sites;
- understand that babysitting services out of Pre-school hours is at your own risk and the Pre-school is not liable for any issues that occur during that time;
- keep all personal belongings in the designated place, and ensure mobile phones are switched off.
- Staff who use wearable technology, eg smart watches or fitbits, will ensure that they are switched to "no notifications" during work time

Standards of behaviour

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children. They should adopt high standards of personal conduct in

order to maintain confidence and respect of the general public and those with whom they work. There may be times where an individual's actions in their personal life come under scrutiny from the community, the media or public authorities, including with regard to their own children, or children or adults in the community. Staff should be aware that their behaviour, either in or out of the workplace, could compromise their position within the work setting in relation to the protection of children, loss of trust and confidence, or bringing the employer into disrepute.

Staff should recognise their individual responsibility to raise any concerns regarding behaviour or conduct (including low-level concerns⁴) that falls short of the principles outlined in this document. It is crucial that any such concerns, including those which do not meet the harm threshold (see KCSiE), are shared responsibly and with the right person, and recorded and dealt with appropriately. Failure to report or respond to such concerns would constitute a failure in professional responsibilities to safeguard children and promote welfare.

If a member of staff has been subjected to any form of harassment, including sexual harassment, then we ask them to report this through the setting's grievance procedure⁵. This can be done anonymously. Staff and committee are well aware that any harassment of any nature, but particularly sexual, be it by a fellow colleague or a third party, eg. parent/carer, visitor, trades person etc, will not be tolerated by St Joseph's Pre-school, and the setting endeavours to take reasonable steps to prevent it.

The Childcare (Disqualification) Regulations 2018 set out grounds for disqualification under the Childcare Act 2006 where the person meets certain criteria set out in the Regulations. As such, St Joseph's Pre-school requires staff, students and regular volunteers to complete an 'Annual Criminal Declaration' and the 'Staff Suitability Declaration Form' once a year. A disqualified person is prohibited from providing relevant early years childcare as defined in the Childcare Act 2006 or being directly concerned in the management of such childcare. St Joseph's Pre-school are also prohibited from employing a disqualified person in respect of relevant early years childcare. This means that staff should not:

- behave in a manner which would lead any reasonable person to question their suitability to work with children or to act as an appropriate role model;
- make, or encourage others to make sexual remarks to, or about, a child;
- use inappropriate language to or in the presence of children;
- discuss their personal or sexual relationships with or in the presence of children;
- make (or encourage others to make) unprofessional personal comments which scapegoat, demean, discriminate or humiliate, or might be interpreted as such.

This means that staff should:

- inform the Chair of the Committee of any cautions, convictions, or relevant orders accrued during their employment, and/or if they are charged with a criminal offence⁶;
- be aware that behaviour by themselves, those with whom they have a relationship or association, or others in their personal lives, may impact on their work with children.

In addition, staff should be aware that breaches of the law and other professional guidelines could result in disciplinary action being taken against them, criminal action and/or other

⁴ See end of document for explanation of "What is a low-level concern?"

⁵ 2.1.2 Grievance Procedure

⁶ Annual Criminal Declaration

proceedings including barring by the Disclosure & Barring Service (DBS) from working in regulated activity.

The Disqualification under the Childcare Act 2006 (Regulations 2018) state that settings should make clear their expectation that staff should disclose any relationship or association (in the real world or online) that may impact on the Pre-school's ability to safeguard children. This applies to all staff employed by St Joseph's Pre-school. More information on "disqualification by association" can be found in 2.1 Employment and Staffing.

Staff Dress Code

A person's dress and appearance are matters of personal choice and self-expression and some individuals will wish to exercise their own cultural customs. However, staff should select a manner of dress and appearance appropriate to their professional role and which may be necessarily 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 viewed as offensive or inappropriate will render themselves vulnerable to criticism, allegation or even harassment.

We would ask the staff to adhere to the following guidelines:

- maintain a neat appearance;
- staff must wear their name badge at all times;
- Pre-school staff to wear comfortable clothing, skirts and shorts must be knee length or longer;
- leggings and low rise jeans should be covered by a top of suitable length;
- clothing must not be low cut, strappy or expose bras/underwear or midriff or back, and be suitable in length;
- jeans may be worn but must not be ripped or tatty;
- footwear should be practical for safe movement around the setting;
- protective clothing required for health and safety purposes shall be supplied by the Pre-school and worn when required;
- keep finger nails clean and fairly short and jewellery and make up to a minimum;
- long hair should be tied back.

Failure to adhere to this policy may result in staff being asked to return home to change into more suitable attire.

Gifts, Rewards, favouritism and exclusion

Staff need to take care that they do not accept any gift from a child and/or their parents/carers that might be construed as a bribe by others, or lead the giver to expect preferential treatment. There are occasions when children/parents/carers wish to pass small tokens of appreciation to staff, e.g. at Christmas or as a thank-you, and this is considered acceptable by the setting. 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 their families. This could be interpreted as a gesture either to bribe or groom. It might also be perceived that a 'favour' of some kind is expected in return. Any reward given to a child should be in accordance with agreed practice, consistent with this policy, recorded and not based on favouritism.

Staff should exercise care when selecting children for specific activities, jobs or privileges in order to avoid perceptions of favouritism or injustice. Similar care should be exercised when children are excluded from an activity. Methods of selection and exclusion should always be subject to clear, fair, agreed criteria.

Staff taking Medication/Other Substances

Staff shall inform the Pre-school Lead Practitioner and/or Chair of any medical conditions or medication that may affect their daily work. Staff medication on the premises must be securely stored and out of reach of children at all times. Staff must not be under the influence of alcohol or any other substances that may affect their ability to care for children during working hours.

Medical/dental appointments

Due to the nature of the business, staff are requested, if possible, to attend doctor, dentist or hospital visits outside of Pre-school hours. Staff are required to find cover for their sessions if they are going to be absent as a result of an appointment.

Staff Absence

- Staff should personally inform the Pre-school Lead Practitioner or Deputy Practitioner of any reason for absence. In the case of the Treasury Administrator, any absence will be reported to the Treasurer.
- Staff should telephone the Pre-school Lead Practitioner (Treasurer in the case of the Treasury Administrator) as soon as possible to inform of an unplanned absence so that cover can be found before the Pre-school session starts.
- SMS text or email is not an appropriate form of communication. Staff shall always telephone the Pre-school Lead Practitioner.
- If staff are unable to contact the Pre-school Lead Practitioner they should telephone either the Deputy Practitioner or the Chair to confirm their absence. If the Treasury Administrator is unable to contact the Treasurer she will endeavour to contact the Chair instead.
- Staff suffering from sickness and/or diarrhoea should follow government guidelines and remain absent from work for at least 48 hours after the last bout of sickness and/or diarrhoea.
- Staff are required to complete the Pre-school's staff sickness and absence reporting form upon their return to work. If they have been absent for 7 calendar days or more, then a GP certificate is required too. Both documents must be given to the Lead Practitioner.

Social contact outside of the workplace

It is acknowledged that staff may have genuine friendships and social contact with parents of children, independent of the professional relationship. Staff should, however, also be aware that professionals who sexually harm children often seek to establish relationships and contact outside of the workplace with both the child and their parents, in order to 'groom' the adult and the child and/or create opportunities for sexual abuse.

It is also important to recognise that social contact may provide opportunities for other types of grooming such as for the purpose of sexual exploitation or radicalisation. Staff should recognise that some types of social contact with children or their families could be perceived as harmful or exerting inappropriate influence on children, and may bring the setting into disrepute (e.g. attending a political protest, circulating propaganda). If a parent/carer seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise her/his

professional judgement. This also applies to social contacts made through outside interests or the staff member's own family.

Some staff may, as part of their professional role, be required to support a parent/carer. If that person comes to depend upon the staff member or seeks support outside of their professional role this should be discussed with the Lead Practitioner and/or Chair and where necessary referrals made to the appropriate support agency.

Staff Awareness to Health & Safety

All staff are required to read the Health & Safety Policy⁷ and Risk Assessment Policy⁸ as part of their induction process and adhere to the guidelines.

Mobile Phones⁹

The use of personal mobile phones at the setting by parents and carers' is **forbidden** to ensure the safety of the children. Staff should ensure that all mobile phones are kept on the kitchen windowsill. Staff are reminded that they can give out the Pre-school's landline number if they need to receive an urgent personal telephone call. This is the main contact number to be used during session time.

ICT and Social Networking Sites

- Staff are required to adhere to their professional responsibilities when using information systems and social network sites.
- Members of staff should read the Pre-school's E-Safety¹⁰, Safeguarding Children¹¹, Acceptable Use of Technologies¹² and social media¹³ policies for further information and clarification.
- Staff should be clear about the purpose of any activity, which involves photography or video of children.
- Staff must not take, display or distribute images of children, unless they have consent to do so.

Holidays

Due to the nature of the business, staff are requested not to take holiday during term times. If staff need to take unavoidable leave during term time, permission should be sought from the Chair **in advance**. A maximum of one member of staff may be absent at any given time period during term-time.

Staff are responsible for finding cover for their sessions.

Whistleblowing and incident reports

- Staff must report any behaviour by colleagues that raises concerns, by following the Pre-school's Whistleblowing Policy¹⁴.

⁷ Policy 3.2 Health and Safety general standards

⁸ Policy 3.1 Risk Assessment

⁹ Policy 1.11 Use of mobile phones, digital photography and other electronic devices

¹⁰ Policy 1.12 E-Safety

¹¹ Policy 1.2 Safeguarding Children and Child Protection

¹² Policy 1.11.1 Acceptable Use of Technologies

¹³ Policy 1.12.3 Social Media

¹⁴ Policy 1.10.1 Whistle Blowing

- Staff must take responsibility for recording and reporting any incident, which may result in being misinterpreted and/or an allegation being made.

What is a “low-level” concern?

The term ‘low-level’ concern does not mean that it is insignificant. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’ - that an adult working in or on behalf of the setting may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the harm threshold or is otherwise not serious enough to consider a referral to the Local Authority Designated Officer (LADO).

Examples of such behaviour could include, but are not limited to:

- being over friendly with children;
- having favourites;
- taking photographs of children on their mobile phone, contrary to setting’s policy

Low-level concerns may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken

How low-level concerns are recorded and any subsequent action taken, are outlined in 1.2 Safeguarding Children and Child Protection.

Related Documents

St Joseph’s Pre-school Policies

- Safeguarding Children and Child Protection
- Health and Safety
- Risk Assessment
- Data Protection

[Statutory Framework for the Early Years Foundation Stage](#) (latest version)

Section 3: The safeguard and welfare requirements

- Suitable people
- Staff taking medication/other substances
- Qualifications, training, support and skills

[Safer Recruitment Consortium](#)

- Guidance for Safer Working Practice for those working with Children and Young People in Education Settings (v3 Feb 2022)

[Keeping Children Safe in Education](#) (latest version)

- “staff behaviour policy (sometimes called code of conduct) should amongst other things, include low-level concerns, allegations against staff and whistleblowing” (para 13 “What school and college staff need to know”)

Legal Framework

- General Data Protection Regulations 2018 and the Data Protection Act 2018
- The Worker Protection (Amendment of Equality Act 2010) Act 2023

Associated Policies and Procedures

- 1.2 Safeguarding Children and Child Protection
- 1.4 Confidentiality
- 1.10.1 Whistle Blowing
- 1.11 Use of mobile phones, digital photography and other electronic devices
- 1.11.1 Acceptable use of Technologies
- 1.12 E-safety
- 1.12.3 Social Media
- 3.1 Risk Assessment
- 3.2 Health and Safety General Standards

Version Number	Author	Purpose of change	Date
1.0	K Coupe	New policy	7 Nov 2018
2.0	K Coupe and A Shipton	Reviewed with reference to “Guidance for Safer Working Practice for those Working with Children and Young People in Education Settings”	29 April 2021 Cttee via email (quorate)
3.0	K Coupe	Reviewed and updated in line update guidance from the Safer Recruitment Consortium ¹⁵ and Keeping Children Safe in Education (KCSiE) 2022	05 Nov 2022 Cttee Mbr (L Finn)
4.0	K Coupe	Reviewed and updated <ul style="list-style-type: none">• additional paragraph at the start of the document to reconfirm why a Code of Conduction document is essential• reference to “wearable technology”, eg. smartphones and fitbits• update in section concerning reporting absences in respect to the Treasury Administrator• update reference to 1.12.3 Social Media (previously known as Social Networking)• hyperlinks to EYFS 2024 and Safer Recruitment Consortium website added• inclusion of “Associated Polices and Procedures section as per S175/157	7 June 2024 Cttee Mbr (G Ind)

¹⁵ “Guidance for Safer Working Practice for those working with children and young people in education settings” February 2022

Version Number	Author	Purpose of change	Date
		Safeguarding Audit	
5.0	K Coupe	Updated with reference to The Worker Protection (Amendment of Equality Act 2010) Act 2023 re sexual harassment	17 Dec 2024 Cttee Mbr (G Ind)