

Blackheath Conservatoire
Staff and Tutor Code of Conduct

March 2023

Blackheath Conservatoire – Staff and Tutor Code of Conduct

This Policy applies to all staff and volunteers in the Conservatoire regardless of their position, role or responsibility. References to 'staff' throughout the policy relate to all of the following groups:

- All members of staff including Tutors (and any appointed deputy), leadership and support staff
- Volunteers, including Trustees
- Casual workers and temporary staff
- Student placements, including those undertaking work experience or other work-related or study-related training

1.0 Introduction

- 1.1 This policy sets out clear guidance on the standards of behaviour expected from all staff, Tutors, volunteers and others at Blackheath Conservatoire. The principles underlying the guidance aim to encourage staff to achieve the highest possible standards of conduct and minimise the risk of inappropriate conduct occurring. Throughout this Policy, 'staff' is used to cover all those who work in and with the Conservatoire, including central staff, Tutors and volunteers.
- 1.2 Conservatoire staff are in a unique position of trust and influence as role models for learners of all ages, but especially those of school age. Therefore, staff must adhere to behaviour that sets a good example to all who have interactions with the Conservatoire.
- 1.3 Because of the huge age range of learners, there are inherent complexities in our interactions with those who use the Conservatoire's services. Modes of behaviour and age-specific considerations are dealt with later in this Policy, but as a principle, all learners, parents/carers and others, are entitled to the same level of service and consideration from the Conservatoire. Hereafter, the term 'learners' is used to denote any and all individuals who participate in Conservatoire activities.
- 1.4 Staff also have an individual responsibility to maintain their reputation and the reputation of the Conservatoire. This obligation pertains both inside and outside working hours and the work setting.
- 1.5 The Conservatoire requires that all staff have read this Policy, and you are required to sign and return a form at the end of this document to this effect.
- 1.6 Breach or failure to observe this Policy will result in action being taken under the Conservatoire's disciplinary procedures including, but not limited to, dismissal.
- 1.7 This Code of Conduct is not an exhaustive list of acceptable and unacceptable standards of behaviour. In situations where guidance does not exist in this Policy, staff are expected to exercise their professional judgement and act in the best interests of the Conservatoire's learners, and to seek advice as appropriate.
- 1.8 The Conservatoire recognises that conflicts and incidents are an almost inevitable part of the work of organisations that deal with learners, their parents/carers, and members of the public. Staff should always maintain a professional and calm demeanour when faced with challenging or upsetting circumstances, and be aware that members of the

Conservatoire's Senior Management Team are there to provide assistance and support when necessary.

- 1.9 The stipulations regarding whistleblowing in section 15 below are equally applicable when a member of staff is faced with a conflict or incident: all Conservatoire staff have a duty to report any incident which raises concern. This is particularly important where the welfare of learners may be at risk, or where the situation might be susceptible to misinterpretation by the learner, an onlooker, or the learner's family. It is the responsibility of the member of staff to report any concerns as swiftly as possible to a member of the Senior Management Team or, if the incident relates to a member of the Senior Management Team, to a member of the Board of Trustees.
- 1.10 The Conservatoire takes very seriously its commitment to the welfare and safety of its staff, and recognises that conflict and incidents can be upsetting. The Conservatoire undertakes to act swiftly under the terms of this Policy, the Safeguarding Policy or the Complaints Policy as appropriate, when incidents are reported, and to keep members of staff apprised of the outcomes of any subsequent investigation, where appropriate.

2.0 Professional Behaviour and Conduct

- 2.1 Staff are expected to demonstrate the highest possible standards of personal and professional conduct and behaviour and consistently act with honesty and integrity. The Conservatoire expects staff to treat each other, learners, parents/carers (where appropriate) and the wider community with dignity and respect at all times.
- 2.2 Staff must act in accordance with their duty of care to learners appropriate to their age range, especially ensuring that the safety and welfare of pre-school and school age children are accorded the highest priority.
- 2.3 Equality for all is a key principle for treating all people the same, irrespective of their gender, ethnicity, disability, religious beliefs/faith tradition, sexual orientation, culture, age, or any other of the protected characteristics (see *Single Equality Act 2010*). Treating people equally does not necessarily involve treating everyone the same: we are all expected to take account of differences in life experience, outlook and background, and the kinds of barriers and disadvantages which people may face in relation to:
- Disability, so that reasonable adjustments are made
 - Ethnicity, so that different cultural backgrounds and experiences of prejudice are recognised
 - Gender, so that the different needs and experiences of girls and boys, men and women, and those of other gender identities are recognised
 - Sexual orientation

Staff should show fairness in their treatment of learners and avoid behaviours such as embarrassing or humiliating, making jokes at the expense of, discriminating against, or favouring, individual or groups of learners.

- 2.4 As a learning organisation, we also recognise our duty under our principle of equality, to meet the needs of those who have educational or learning needs. We welcome learners with special educational needs because we value all learners equally. Staff should be aware of the specific needs of individuals with whom they have contact, and the Conservatoire

is committed to providing advice, support and training to ensure that staff are able to support learners irrespective of need. All those who work with learners have an obligation to respond to these needs, and the Conservatoire has an obligation to ensure both Tutors and learners are supported as well as possible.

- 2.5 Staff must have regard for the ethos and values of the Conservatoire as a charitable and educational foundation and must not do or say anything which may bring the Conservatoire or Trustees into disrepute. Care should be taken by staff to avoid any conflict of interest between activities undertaken outside their work for the Conservatoire and responsibilities within it.

Staff should not engage professionally with learners introduced to them by the Conservatoire directly, whether during the course of any engagement or for a period of 3 months following the expiry of any engagement.

- 2.6 Staff should act in accordance with the Conservatoire's policies and procedures at all times.

3.0 Guidelines for the COVID-19 Pandemic

- 3.1 Staff working in the building during the COVID-19 Pandemic should follow the social distancing and sanitation policies and guidance set out in any communications from the Conservatoire. These can change at short notice in line with Government guidance. Staff are required to keep themselves updated on the latest Conservatoire guidance.

- 3.2 The Pandemic may lead to the Conservatoire having to change courses, lessons, and other arrangements at short notice. We ask all staff to be as flexible as possible as we try to manage the operations in the most effective manner, including moving to online lessons where possible.

- 3.3 Government guidance at the time of writing is the following:

'If you have symptoms of a respiratory infection, such as COVID-19, and you have a high temperature or you do not feel well enough to go to work or carry out normal activities, you are advised to try to stay at home and avoid contact with other people.'

From: <https://www.gov.uk/guidance/people-with-symptoms-of-a-respiratory-infection-including-covid-19>

Please see www.gov.uk for the latest and most up to date advice regarding COVID-19.

- 3.4 If you test positive or are self isolating please inform the Conservatoire. If you are well enough to work online we will explore this possibility. If a Tutor is not well enough to work, the Deputising system should be used.

4.0 Smoking, alcohol and other substances

- 4.1 The Conservatoire is a non-smoking site. Staff must not smoke on the premises: any member of staff wishing to smoke must leave the Conservatoire grounds.
- 4.2 Staff must not smoke whilst working with or supervising learners in activities offsite.
- 4.3 Staff must not consume or be under the influence of alcohol, illicit drugs or other illegal substances on or near Conservatoire premises.

5.0 Relationships with Learners

- 5.1 Staff must maintain professional boundaries with all learners appropriate to the learner's age and the member of staff's position. Staff must always consider whether their actions are warranted, proportionate, safe and applied equitably. Staff should act in an open and transparent way that would not lead any reasonable person to question their actions or intent. This means thinking carefully about conduct so that misinterpretations are minimised.
- 5.2 Staff must not establish or seek to establish social contact with learners of school age for the purpose of securing a friendship or to pursue or strengthen a relationship. If a young person seeks to establish social contact you should exercise your professional judgement in making an appropriate response and be aware that such social contact can often be misconstrued.
- 5.3 When considering younger learners (pre-school and those of school age), *Working Together to Safeguard Children*¹ defines sexual abuse as ... 'forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).'
- 5.4 Staff should be mindful of section 16 of *The Sexual Offences Act 2003*².
- 5.5 Staff must not make sexual remarks to any learner, discuss their own sexual relationships with, or in the presence of, customers or discuss a learner's sexual relationships in an inappropriate setting or context.

¹https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419595/Working_Together_to_Safeguard_Children.pdf

² Section 16 of *The Sexual Offences Act 2003* provides that it is an offence for a person aged 18 or over (e.g. teacher, youth worker) to have a sexual relationship with a child under 18 where that person is in a position of trust in respect of that child, even if the relationship is consensual. A situation where a person is in a position of trust could arise where the child is in full-time education and the person looks after children under 18 in the same establishment as the child, even if s/he does not teach the child.

- 5.6 Contact with pupils/students should be through the Conservatoire's authorised mechanisms. Personal phone numbers, email addresses or communication routes via all social media platforms should not be used with learners, unless specific, written permission is obtained from the parent/guardian and is on record at the Conservatoire. Staff should not share their home address with any learner. If contacted via an inappropriate route the member of staff must inform the Executive Director immediately.
- 5.7 Conservatoire staff must not accept friend invitations or become friends with any learner of school age on any social media platform. Staff should also refrain from following the Twitter or other similar social media accounts of school age learners.
- 5.8 It is accepted that a different approach is required (and often beneficial) with adult-to-adult interactions between Tutor and customer. Nevertheless, staff are strongly advised to adopt the approach with all learners as outlined above for younger learners. This avoids potential conflicts of interest, and helps to maintain the vital differentiation between work and social contact. This greatly aids work/life balance and removes potential complications around the misinterpretation of social and personal contact.
- 5.9 Notwithstanding 5.8 above, all staff must adhere to the principles outlined in sections 1 and 2 above, which apply irrespective of the age, circumstances or personal relationship that might exist between the learner and member of staff.

6.0 Infatuations

- 6.1 It is not unusual for young people or, sometimes, their parents to develop infatuations towards members of staff. All such situations must be responded to sensitively to maintain the dignity of those concerned.
- 6.2 Staff should also be aware that such circumstances carry a high risk of words or actions being misinterpreted and for allegations to be made against staff. Any indications of an infatuation towards yourself or another member of staff must be reported to the Executive Director as soon as possible.

7.0 Gifts/Hospitality

- 7.1 Staff need to take care that they do not accept any gift/offer of hospitality that might be construed as a bribe by others, or lead the giver to expect preferential treatment. However, there may be occasions where learners or parents wish to give a small token of appreciation to staff, for example at religious festivities or at the end of a course or the year.
- 7.2 It is unacceptable to receive gifts on a regular basis or to suggest to learners that gifts are appropriate or desired. Money must not be accepted as a gift. If you are unsure whether to accept a gift you should consult the Conservatoire senior management team.

- 7.3 Staff must not accept significant gifts or hospitality from learners, parents, carers, actual or potential contractors or outside suppliers. All such gifts/offers of hospitality should be reported to your line manager and recorded.
- 7.4 Personal gifts must not be given by staff to learners.

8.0 Physical Contact with Learners

- 8.1 Staff working in the building during the COVID-19 Pandemic should follow any guidance relating to social distancing and any reduced physical contact as set out in any communications from the Conservatoire.

During other times the following applies:

There may be occasions when it is appropriate and proper for staff to have physical contact with learners, 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 any learner it should be in response to their needs at that time, of limited duration and appropriate to their age, stage of development, gender, ethnicity and background.

- 8.2 In relation to younger learners of school age, where feasible, staff should seek a child's permission before initiating contact. Staff should listen, observe and take note of the child's reaction or feelings and, so far as is possible, use a level of contact which is acceptable to the child for the minimum time necessary.
- 8.3 It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one learner in one set of circumstances may be inappropriate in another, or with a different learner. Staff should therefore, use their professional judgement at all times.
- 8.4 Staff should be aware that even well intentioned physical contact runs a real danger of being misconstrued by the learner, an observer or by anyone to whom this action is described. Staff should never touch a learner in a way which may be considered indecent. Always be prepared to explain actions and accept that all physical contact is open to scrutiny.
- 8.5 Extra caution should be exercised where a learner is known to have suffered previous abuse or neglect. Such experiences may sometimes make a learner, especially a child, exceptionally needy and demanding of physical contact and staff should respond sensitively by deterring the person involved through helping them to understand the importance of personal boundaries.
- 8.6 Staff providing musical tuition may be required to initiate physical contact with learners when demonstrating the correct technique for use of an instrument, to support a learner to perform a task effectively, or to assist them with an exercise. Contact under these circumstances should be done with the learner's agreement, for the minimum time necessary. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the learner.

- 8.7 Physical contact must never be secretive, for the gratification of the member of staff or represent a misuse of authority.
- 8.8 If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be reported as soon as possible to the Conservatoire senior management team. The SMT will then record and, if appropriate, take related action appropriate to the circumstances.

9.0 Learners in distress

- 9.1 There may be occasions when a learner is in distress and in need of comfort as a 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. During the COVID-19 pandemic please try to comfort and reassure without physical contact.
- 9.2 Such incidents should always be recorded and shared with the Conservatoire Senior Management Team. If you have a particular concern about the need to provide this type of care and reassurance you should seek further advice from the Conservatoire.

10.0 One to one situations

- 10.1 Staff working individually with learners should be aware of the potential vulnerability of both learners and themselves in such situations. Staff should manage these situations with regard to the safety of the learner and to themselves.
- 10.2 Individual work with learners should not be undertaken in isolated areas or rooms where there is no external viewing panel. Where it is necessary to close doors for reasons of confidentiality or to prevent (for instance) sound leakage in music lessons, it is vital to keep the advice and provisions in this policy and in the Child Protection Policy at the forefront of your thinking.
- 10.3 Tutors should only teach students at the Conservatoire, and never informally in their home environment, the student's home environment, or elsewhere.

11.0 Transporting learners

- 11.1 In certain circumstances it may be appropriate for staff to transport learners offsite, for example on visits or to venues. A designated member of staff should be appointed to plan and provide oversight of all transport arrangements and to respond to any difficulties that may arise.
- 11.2 Staff should ensure that the transport arrangements and the vehicle meet all legal requirements. Staff should ensure that the driver has the appropriate licence for the

vehicle, that the vehicle is roadworthy, has a valid MOT certificate and is appropriately insured (business use insurance for personal vehicles) and that the maximum capacity is not exceeded.

- 11.3 Staff should ensure that the driver is not distracted while the vehicle is in motion for any reason other than an emergency and should also ensure all passengers are wearing correctly fastened seatbelts. Staff should never transport learners while under the influence of alcohol or drugs. If using a car, younger learners should invariably be in the rear seats not in the front passenger seat if travelling alone.
- 11.4 Prior to transporting learners of school age offsite, consent must be obtained from the child's parent/guardian and staff should be aware that the safety and welfare of the child is their responsibility until this is safely passed back to their parent/carer.

12.0 E-Safety

- 12.1 Staff must not engage in inappropriate use of social network sites which may bring themselves, the Conservatoire or the Conservatoire's community of staff and learners into disrepute. Staff should adopt the highest security settings on any personal profiles they have.
- 12.2 Confidentiality must be a prime consideration at all times. Social networking sites have the potential to lead to the discussion of inappropriate information and employees need to ensure that they do not put any confidential information on their site about themselves, the Conservatoire, their colleagues, learners, parents/carers or members of the public. Employees need to ensure that when they are communicating about others, even outside of work, that they give due regard to the potential for defamation of character. Making allegations on social networking sites (even in their own time and in their own homes) about other employees, learners or individuals connected with the Conservatoire, could result in formal action being taken against them.
- 12.3 Staff should therefore remain mindful of their digital footprint and exercise caution in all their use of social media or any other web-based presence they have. This includes written content, videos or photographs and views expressed either directly or by 'liking' certain pages or posts or following certain individuals or groups. Staff should exercise care when using dating websites where they could encounter learners.
- 12.4 With regard to school-age learners, staff must not make contact with, must not accept or initiate friend requests from, nor follow accounts on any social media platform, from learners in this age group. With regard to adult learners, the advice in section 5.9 above also pertains here. Staff must not communicate with school-age students via social media, websites, instant messenger accounts or text message. Staff should also consider very carefully the implications to them as individuals and to the Conservatoire more widely, of undertaking any such contact with adult customers before doing so.
- 12.5 Regarding adult customers, staff are strongly discouraged from making contact with, accepting or initiating friend requests from, or following customer's accounts on any social media platform. Advice in Section 5.8 above also pertains here, especially with regard to

work-life balance and the potential for reputational risk to the individual and the Conservatoire.

- 12.6 However, the Conservatoire acknowledges that staff may teach or have other professional interactions with people who are also friends. In these cases, we acknowledge that staff might wish to make contact with these learners, over social media. Staff must exercise caution and professional judgement in these circumstances and should not have any contact with learners or a learner's family members via social media if that contact is likely to constitute a conflict of interest or call into question their objectivity.
- 12.7 There must be an awareness on the part of those who work with school-age learners that some social networking contacts, especially where these are not common knowledge, can be misconstrued as being part of a grooming process. This can also apply to social networking contacts made through outside interests, or through the member of staff's own family, or via text communication between adults and learners. Any such contact which takes place outside agreed protocols may lead to disciplinary and/or criminal investigation.
- 12.8 During COVID-19 tutors may agree with the Conservatoire to provide online lessons for students, and this may be done in teaching rooms with tutors' own devices. Mobile phones and personally owned devices may not be used during tuition or lessons except to enable the teacher to access the Conservatoire's online register or for reasons that have been approved in advance by the Artistic Director or the Executive Director. Otherwise, mobile phone should be switched off or on silent at all times. The Bluetooth functionality of a mobile phone should be switched off at all times and may not be used to send images or files to other mobile phones. Under no circumstances should members of staff take photos, audio or video images of learners on their personal devices (see also section 13 below).
- 12.9 Mobile phones and personally owned mobile devices brought in to the Conservatoire are the responsibility of the device owner. The Conservatoire accepts no responsibility for the loss or theft of, or damage to, personally owned mobile phones or mobile devices.
- 12.10 Email is an extremely beneficial method of communicating with learners. However, all staff must note and follow the basic etiquette outlined below:
- Think! Is email the best medium for this conversation? Would a telephone call or meeting be better?
 - Think! Who needs to receive this email? Resist the urge to copy in people who may not have any direct interest in, or impact on, the matter under discussion
 - Emails must be professional in tone and content. Remember that emails are subject to freedom of information requests
 - Keep emails short and concise
 - Do not use abbreviations or 'text speak'. This is not appropriate for business communications
 - Do not use email to discuss confidential information. Sending an email is like sending a postcard: if you don't want your email displayed on a bulletin board, don't send it
 - Don't use block capitals to emphasise a point: this is the email equivalent of shouting at someone
 - Should you receive an email that annoys you, please do not respond: this only exacerbates a difficult situation

- Avoid using Reply to All: make sure that everyone in the original email is someone who you wish to see you response

13.0 Photography, video and images of learners

- 13.1 Some Conservatoire activities may involve recording images as part of performance, publicity or to celebrate an achievement. In accordance with The Data Protection Act 1998 the image of any learner is personal data. Therefore, it is a requirement under the Act for consent to be obtained from the parent/guardian of a learner of school age, or of the learners themselves, for any images made. It is also important to take into account the wishes of the learner, remembering that some do not wish to have their photograph taken or be filmed.
- 13.2 Using images for publicity purposes will require the age-appropriate consent of the individual concerned and (in the case of school-age learners), their parent/guardian. Images should not be displayed on websites, in publications or in a public place without their consent. Staff should also be clear about the purpose of the activity and what will happen to the photographs/images/video footage when the activity is concluded.
- 13.3 Photographs/stills or video footage of learners should only be taken using Conservatoire equipment for purposes authorised by the Conservatoire and should be stored securely and only on the Conservatoire's private computer network.
- 13.4 Staff should ensure that a member of the Senior Management Team is aware of the proposed use of photographic/video equipment. All photographs/stills and video footage should be available for scrutiny and staff should be able to justify all images/video footage made.
- 13.5 Staff should remain aware of the potential for images of learners to be misused to create indecent images of children and/or for grooming purposes. Therefore, careful consideration should be given to how activities which are being filmed or photographed are organised and undertaken. Particular care should be given when filming or photographing young or vulnerable learners who may be unable to question how or why the activities are taking place. Staff should also be mindful that learners who have been abused through the use of video or photography may feel threatened by its use in a learning or performance environment

14.0 Confidentiality

- 14.1 Staff shall comply with the relevant provisions of the Code of Conduct and shall not disclose in any way or form and at any time to any person firm or company any of the Confidential Information save to employees of the Conservatoire whose duties require such disclosure to be made and staff shall not use for their own purposes nor for any purpose other than those of the Conservatoire any such Confidential Information PROVIDED THAT staff may disclose Confidential Information to the extent specifically necessary in the ordinary course of business or in accordance with the Code of Conduct.

"Confidential Information" means all secrets or confidential information of or entrusted to the Conservatoire by any third party including, but not limited to, knowledge and information relating to the business, technical processes and lesson plans, creative

processes, designs or finances of the Conservatoire or their actual or potential clients, customers, sponsors or suppliers or relating to know-how, inventions or improvements or any other matters connected with the products or services, future plans, ideas, marketing strategies and materials, programme information, terms of employment competitors, productions, contracts or terms of contracts, and business opportunities of the Conservatoire or any of its clients, customers, donors or staff or requirements of the Company.

Members of staff may have access to confidential information about learners, learners' parents/carers and their siblings. Staff must never reveal such information except to those colleagues who have a professional role in relation to the learner, on a need to know basis.

- 14.2 Staff should never use confidential or personal information about a learner 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 learner.
- 14.3 All staff are likely at some point to witness actions which need to be confidential. For example, where a learner (especially a child) is bullied by another young person, this needs to be reported and dealt with in accordance with the appropriate Conservatoire reporting procedure. Such events must never be discussed outside the Conservatoire, including with the learner's parent or carer, nor with colleagues in the Conservatoire except by a senior member of staff with the appropriate authority to deal with the matter.
- 14.4 Staff have a statutory obligation to share with the Conservatoire's Designated Safeguarding Lead or Deputy Designated Safeguarding Lead any information which gives rise to concern about the welfare or safety of a learner or that might suggest a learner is in need or at risk of significant harm. Staff should pass on information without delay in accordance with Conservatoire's safeguarding policy and procedures and this should be recorded as set out in the safeguarding policy. Staff must never promise a learner that they will not act on or pass on any information that they are told by the learner.
- 14.5 Staff should refer to the Department of Education's document *Information sharing: advice for practitioners providing safeguarding services*³ for further guidance on information sharing. If you are in any doubt about whether to share you should seek guidance from a member of the Senior Management Team.
- 14.6 Any media or legal enquiries should be passed to the Senior Management Team and only approved staff and Trustees should communicate to the media about the Conservatoire.

15.0 Whistleblowing

- 15.1 Whistleblowing is the mechanism by which staff can voice their concerns, without fear of repercussion.

³https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419628/Information_sharing_advice_safeguarding_practitioners.pdf

15.2 All Conservatoire staff have a duty to report any behaviour by a colleague which raises concern. This is particularly important where the welfare of learners may be at risk. It is the responsibility of the member of staff to report any concerns as swiftly as possible to a member of the Senior Management Team or, if the incident relates to a member of the Senior Management Team, to a member of the Board of Trustees.